

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**IN RE: PROTON-PUMP INHIBITOR PRODUCTS  
LIABILITY LITIGATION**

**2:17-MD-2789 (CCC)(LDW)  
(MDL 2789)**

**This Document Relates to:  
All cases listed in Exhibit A**

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**OPINION AND ORDER**

**CECCHI, District Judge.**

**I. Introduction**

This matter comes before the Court upon Case Management Order (“CMO”) No. 65, ECF No. 723, entered on December 2, 2021, which identified 1,535 cases in which AstraZeneca LP (“AZLP”), AstraZeneca Pharmaceuticals LP (“AZPLP”), and Merck & Co. Inc. d/b/a Merck, Sharp & Dohme Corporation (“Merck”) (collectively, the “AZ Defendants”) alleged that service of the summons and complaint had not been effected and in which no proof of service appeared on the docket of the case. CMO No. 65 ordered Plaintiffs in those cases within thirty days to (1) establish that service was effected on the AZ Defendants identified in Exhibit A to CMO No. 65, as required by Rule 4(m) of the Federal Rules of Civil Procedure<sup>1</sup> by filing proof of service, (2) voluntarily dismiss the AZ Defendants, or (3) show cause why the AZ Defendants should not be dismissed within thirty days of entry of the Order. CMO No. 65, at 2 CMO No. 65 ordered Plaintiffs to file their responses on the dockets of the individual cases, and permitted the AZ Defendants to oppose within thirty days of each plaintiff’s response.<sup>2</sup> Plaintiffs were specifically

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<sup>1</sup> All references to Rules herein are to the Federal Rules of Civil Procedure.

<sup>2</sup> At the request of the parties, the deadline for Plaintiffs to file responses to CMO No. 65 was extended to March 31, 2022, and then to June 30, 2022. *See* CMO No. 67, at § I.D, ECF No. 747; CMO No. 70, at ¶ B, ECF No. 769. The deadline for the AZ Defendants to oppose each plaintiff’s

advised that “[f]ailure to comply with the terms of this Order will result in the dismissal of the case as to the identified AZ Defendants.” CMO No. 65, at 2.

## II. Legal Standard

Rule 4 governs the requirements regarding serving a summons. In particular, Rule 4(m) requires that “[i]f a defendant is not served 90 days after the complaint is filed, the court – on motion or on its own after notice to plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m). In the Third Circuit, establishing good cause requires a “demonstration of good faith on the part of a party seeking an enlargement and some reasonable basis for noncompliance with the time specified in the rules.” *MCI Telecomms. Corp.*, 71 F.3d at 1097.<sup>3</sup> In the absence of a showing of good cause for failure timely to effect service, the Court has discretion either to dismiss a case or permit an extension. *Id.* at 1098 (citing *Petrucelli v. Bohringer & Ratzinger*, 46 F.3d 1298, 1305 (3d Cir. 1995)). It is the plaintiff’s burden to demonstrate good cause for such failure to effectuate timely service or to persuade the Court to exercise its discretion and not dismiss the AZ Defendants from their cases. *Spence v. Lahood*, No. 11-3972, 2012 U.S. Dist. LEXIS 80015, at \*15 (D.N.J. June 8, 2012) (citing *McCurdy v. Am. Bd. of Plastic Surgery*, 157 F.3d 191, 196 (3d Cir. 1998)).

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response was extended to May 15, 2022, then to August 16, 2022, and then to October 17, 2022. See CMO No. 67, at § I.D, ECF No. 747; CMO No. 70, at ¶ B, ECF No. 769; CMO No. 78, at ¶ A, ECF No. 841.

<sup>3</sup> Plaintiffs note that the version of Rule 4 quoted in *MCI Telecomms* is no longer applicable after an amendment in 1993. The amendment removed “good cause” as an absolute prerequisite for an extension of service. However, as explained above, the good cause standard still exists in Rule 4(m). The amendment merely allows courts, in the absence of good cause, to exercise their discretion to allow an extension if the circumstances warrant. Notably, the Court’s Opinion and Order here is based on the current version of Rule 4(m).

### III. Discussion

As stated above, CMO No. 65 ordered the identified Plaintiffs within thirty days to either establish that service was properly effectuated pursuant to Rule 4(m), voluntarily dismiss the AZ Defendants, or show cause why the AZ Defendants should not be dismissed. CMO No. 65 did not provide Plaintiffs with an extension of time to serve the Complaint, instead, it directed Plaintiffs to prove that service had in fact been effectuated or to “show cause why the AZ Defendants should not be dismissed.”

The 1,181 Plaintiffs in the cases identified on Exhibit A herein have failed to satisfy the requirements of CMO No. 65. Plaintiffs do not claim to have timely served the AZ Defendants in compliance with Rule 4(m). *See* CMO No. 7, at § II.D (“Absent agreement of the parties or subsequent Order of the Court, service of process shall be effectuated as required under Rule 4 of the Federal Rules of Civil Procedure.”).<sup>4</sup> While there is disagreement between Plaintiffs and the AZ Defendants concerning the fact or date of service in some of the cases here, it is undisputed that in the cases in which the AZ Defendants were served, service was effected only after CMO No. 65 was entered. In fact, of these 1,181 cases (and utilizing the earlier purported date of service in the event that the parties did not agree on the date of service), service was made between one to two years after the ninety-day period in Rule 4(m) in 9 cases; between two to three years after the ninety-day period in 228 cases; and between three to just over four years after the ninety-day period in 944 cases. Further, no Plaintiff here has dismissed the AZ Defendants from their case. Finally, as further elaborated below, Plaintiffs have not shown cause why the AZ Defendants should not

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<sup>4</sup> Though not relevant in these cases, the Court notes that AZLP, AZPLP, and Merck agreed to accept service of a Complaint by email at PPIComplaints@icemiller.com. CMO No. 27, at § I.D, ECF No. 260

be dismissed. Accordingly, due to untimely service and lack of good cause shown, it is appropriate that the AZ Defendants be dismissed from the cases identified in Exhibit A.

**a. Plaintiffs Do Not Demonstrate Good Cause Mandating an Extension of Time to Serve**

Plaintiffs' responses to CMO No. 65 do not demonstrate good cause excusing their lack of timely service pursuant to Rule 4(m). Good cause requires "a demonstration of good faith on the part of the party seeking an enlargement . . . and some reasonable basis for noncompliance with the time specified in the rules." *MCI Telecomms. Corp.*, 71 F.3d at 1097. To determine whether good cause exists, the Court considers "(1) reasonableness of plaintiff's efforts to serve (2) prejudice to the defendant by lack of timely service and (3) whether plaintiff moved for an enlargement of time to serve." *Id.* The primary focus must always be on "the plaintiff's reasons for not complying with the time limit in the first place." *Id.* Yet here, Plaintiffs have not even attempted to show good cause for their failure to timely serve or addressed the reasons for untimeliness. *See, e.g.*, Pl. Lawrence Lucerne's Resp. to Orders to Show Cause Regarding Service of Process, at 22-24, No. 2:19-cv-04209, ECF No. 8 ("Lucerne Resp."). Accordingly, as the Court further explains, Plaintiffs have failed to demonstrate good cause for failure to timely serve in compliance with Rule 4(m).

As an initial matter, the Court notes that Plaintiffs responded to CMO No. 65 by filing virtually identical responses that do not reference the AZ Defendants' specific conduct. These responses attached an exhibit with limited information about the Plaintiffs' individual cases, but did not include any documentation to support their assertions in the exhibit. The information in these exhibits filed by Plaintiffs includes such information as the date of alleged service (if any), whether a defendant had filed a notice of appearance, whether a defendant had filed a short form answer, whether a Plaintiff Fact Sheet had been uploaded to Marker Group, whether a Defense

Fact Sheet had been served, and whether a defendant had sent a deficiency letter related to the Plaintiff Fact Sheet. *See, e.g.*, Lucerne Resp.; Pl. Michael Lopez’s Resp. to Order to Show Cause Regarding Service of Process, Ex. A, No. 2:18-cv-04494, ECF No. 15 (“Lopez Resp.”). In addition, Plaintiffs’ briefing does not address any reasons for the failure to timely serve and instead focuses on arguments concerning the AZ Defendants’ purported waiver of service and the Court’s authority for discretionary extensions. *See Houser v. Williams*, No. 16-9072, 2020 U.S. Dist. LEXIS 43518, at \*6 (D.N.J. Mar. 12, 2020) (finding dismissal warranted where plaintiff did not serve the complaint for months after an agreed-upon extension and then failed to detail any steps he took towards serving defendant within the extended time afforded by the court).

Turning to the factors for evaluating good cause, the first factor examines the reasonableness of the plaintiff’s efforts to serve the complaint. As noted, Plaintiffs offer no explanation for the failure to timely serve, nor an adequate description of reasonable steps that Plaintiffs took to effect timely service as required by Rule 4(m). And none of the Plaintiffs at issue here were close to satisfying timely service under Rule 4(m). As previously stated, in all 1,181 cases, service was effected at least one year after the ninety-day period under Rule 4(m) had lapsed; indeed, in 944 cases, or approximately 80 percent, service was effected over three years after the ninety-day period under Rule 4(m) had lapsed. Given Plaintiffs’ lack of sufficient efforts to serve the complaint, this factor weighs heavily in favor of the AZ Defendants.

Under the second factor, the Court considers prejudice to the AZ Defendants by lack of timely service. Here, Plaintiffs’ failure to serve caused the AZ Defendants to expend time and resources through investigation, consultation with opposing counsel, and advocating for and responding to case management orders – all to determine whether Plaintiffs intended to pursue litigation against them. *W. Coasts Quartz Corp. v. M.E.C. Tech, Inc.*, 2017 WL 1944197, at \*2

(D.N.J. May 9, 2017). Moreover, this Court has previously determined that the AZ Defendants had been prejudiced by the delayed service or non-service. *See* Order Regarding CMO No. 65, at 7, ECF No. 890. Given the prejudice to the AZ Defendants resulting from Plaintiffs’ failure to timely serve, this factor also cuts against good cause. And even if Plaintiffs had demonstrated lack of prejudice to the AZ Defendants, “absence of prejudice alone can never constitute good cause to excuse late service.” *MCI Telecomms Corp.*, 71 F.3d at 1097.

Finally, under the third factor, while Plaintiffs have now requested an extension of time to serve the AZ Defendants, they did so only after CMO No. 65 was entered, which was a year or more after the time to serve the AZ Defendants in compliance with Rule 4(m) had lapsed. *See, e.g.,* Lucerne Resp.; Lopez Resp. Plaintiffs have not explained why they did not request an extension of time to serve the AZ Defendants until after CMO No. 65 was entered by this Court. Accordingly, this factor similarly weighs in favor of the AZ Defendants and against Plaintiffs’ showing of good cause.

Considering the three factors used to evaluate whether good cause has been demonstrated, Plaintiffs here have not demonstrated good cause for their failure to serve the AZ Defendants in compliance with Rule 4(m).

**b. Plaintiffs Have Not Persuaded the Court that a Discretionary Extension is Warranted**

In the absence of a showing of good cause mandating an extension to effectuate service, the Court nonetheless has discretion to either dismiss the case or permit extension. Because Plaintiffs have not established good cause, *see supra*, they must rely on the Court’s discretionary authority to excuse failures to comply with Rule 4(m). *See Edwards v. Hillman*, 849 F. App’x. 23, 25 (3d Cir. 2021) (citing *Petrucelli*, 46 F.3d at 1305). The Court’s exercise of discretion in this area is guided by various factors, including: “actual notice of the legal action; prejudice to the

defendant; the statute of limitations on the underlying causes of action; the conduct of the defendant; and whether the plaintiff is represented by counsel, in addition to any other factor that may be relevant.” *Chiang v. U.S. Small Bus. Admin.*, 331 Fed. App’x 113, 116 (3d Cir. 2009); *see also Spence*, 2012 U.S. Dist. LEXIS 80015, at \*15. Here, considering these factors, Plaintiffs have not met their burden in persuading the Court that such discretion should be exercised under these circumstances.

With respect to the first factor—actual notice of the legal action—Plaintiffs argue that the AZ Defendants were on notice of their claims through their tolling agreement, which provided Plaintiffs time to obtain information about their claims before filing a complaint.<sup>5</sup> However, the fact that a plaintiff was on the tolling agreement and may potentially bring a claim against the AZ Defendants or another defendant does not mean that the AZ Defendants had actual legal notice that a particular plaintiff would be pursuing his or her claim against the AZ Defendants in a legal action.

*In re Asbestos Prod. Liab. Litig. (No. VI)*, upon which Plaintiffs rely for their argument that a court may extend the time for proper service if the defendant had “actual notice of the pending action,” is instructive. 2014 WL 1903904, at \*1 (E.D. Pa., May 12, 2014); *see* Lucerne Resp. at 9-10 (citing *Asbestos*). The issue there concerned the appropriateness of a specific method of service by mail under Ohio law—not untimely service that occurred anywhere from one to four years past

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<sup>5</sup> In June 2018, the parties entered into a tolling agreement concerning the statute of limitations. In order to obtain the benefit of tolling under the tolling agreement, a claimant had to provide the following information to all defendants: name and date of birth of the PPI user, name(s) of any derivative claimant(s), city and state of residence, date of first PPI use, date of last PPI use, alleged injury, and name of claimant’s counsel. The Plaintiffs’ Steering Committee was to compile this information and submit it to the defendants on an Excel spreadsheet on a monthly basis. *See* Stip. Regarding Tolling of Stats. of Lims., ECF No. 232, at 1-2. The data required to be provided to all defendants in the tolling agreement did not identify specific defendants whose product(s) were allegedly used by individual plaintiffs.

the Rule 4(m) deadline. Notably, the court found that the defendants were on “actual legal notice” of the pending action because the plaintiffs provided proof of a green card signed by the defendant, evidencing receipt of the original process papers by defendants’ counsel, which the court found acceptable under Ohio state law. *Asbestos*, 2014 WL 1903904, at \*1. By contrast, Plaintiffs here have not offered any similar evidence of actual notice. Indeed, as the AZ Defendants argue, the tolling agreement “covered Plaintiffs who could not yet show proof of use as to a Defendant’s product” and, moreover, did not identify a specific defendant or which PPI products were at issue as to a particular potential plaintiff. *See, e.g.*, No. 19-cv-04209, ECF No. 10 at 10 n.3. Therefore, Plaintiffs’ reliance on *Asbestos* is misplaced and they have not demonstrated that the AZ Defendants had actual notice of pending litigation.

Turning to prejudice to the defendant—the second factor—the Court reiterates its analysis when discussing the same factor in the context of good cause. *See supra* III.a (noting the AZ Defendants expended time and resources through their repeated attempts to determine whether Plaintiffs intended to pursue litigation against them, including their own independent inquiries, as well as meetings with counsel and the special master). Further, this Court has previously found in this MDL (with respect to a different defendant) that “[w]asted time and resources and inconvenience standing alone may constitute sufficient prejudice to warrant dismissal.” CMO No. 63 at 7 (citing *Miller v. Advocare, LLC*, No. 12-01069, 2013 U.S. Dist. LEXIS 71451, at \*8-9 (D.N.J. May 21, 2013)). Accordingly, this factor weighs against Plaintiffs’ request.

Regarding the statute of limitations, the third factor, Plaintiffs argue that the applicable statute of limitations in most, if not all, of the actions subject to CMO No. 65 has expired. *See, e.g.*, Lucerne Resp. at 21. However, “the expiration of the statute of limitations does not require the court to extend the time for service, as the court has discretion to dismiss the case even if the



refiling of the action is barred.” *MCI Telecomms. Corp.*, 71 F.3d at 1098. Given the length of time between filing and service in the cases of these Plaintiffs—in some cases over four years—Plaintiffs’ argument that the potential lapse of the statute of limitations warrants extension is not compelling. Relatedly, Plaintiffs have not alleged that the AZ Defendants engaged in any conduct to impede or frustrate timely service. *See Spence*, 2012 U.S. Dist. LEXIS 80015, at \*15 (fourth factor). These factors thus militate against a discretionary extension as well.

The final factor guiding the Court’s discretion examines whether the plaintiff is represented by counsel. *See Spence*, 2012 U.S. Dist. LEXIS 80015, at \*15. Plaintiffs here are all represented by counsel. And, in this context, “[e]ven when delay [in service] results from inadvertence of counsel, it need not be excused.” *Petrucelli*, 46 F.3d at 1307. This factor thus also weighs against a discretionary extension.

Weighing all of the above factors, the Court is not persuaded that exercising its discretion to grant an extension to effectuate service on the AZ Defendants is warranted. Moreover, in addition to the factors counseling against an extension, the Court’s conclusion is further supported by Plaintiffs’ failure to provide an explanation as to why they did not timely serve the AZ Defendants.<sup>6</sup>

**c. Plaintiffs Have Not Shown that the AZ Defendants Waived their Defense to Untimely Service**

Plaintiffs generally assert that the AZ Defendants waived any defense related to untimely service by virtue of their conduct in this MDL litigation. Plaintiffs argue that dismissal of their

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<sup>6</sup> The AZ Defendants also argue that because Plaintiffs did not address their reasons for untimely service (and instead relied chiefly on arguments concerning waiver), Plaintiffs’ reply to CMO 65 failed to comply with a court order, requiring dismissal of their cases on that independent basis. *See, e.g.*, No. 19-cv-04209, ECF No. 10 at 6. The AZ Defendants cite certain *Poulis* factors to support this argument. *Id.* at 10. As explained above, the Court has considered Plaintiffs’ lack of an explanation in its discussion of Rule 4(m) and discretionary extensions.

claims against the AZ Defendants is inappropriate in those cases where (1) the AZ Defendants filed a motion to dismiss without raising service; (2) the AZ Defendants either filed an answer without raising service or answered before service; or (3) the AZ Defendants manifested some intention to defend the case through the AZ Defendants' conduct. *See, e.g.*, Lucerne Resp. at § IV.B; Lopez Resp. at § IV.B. For the below reasons, the Court finds that the AZ Defendants have not waived their defense to untimely service.

The Court first turns to Plaintiffs' argument that the AZ Defendants waived their defense to lack of service in those cases where the AZ Defendants filed a motion to dismiss for purported failure to comply with the tolling agreement without specifically raising the defense. However, the AZ Defendants did not raise service in their motions to dismiss because an alternate procedure, proposed and agreed upon by the parties, was set forth in a stipulated court order, with their defenses expressly preserved by CMO No. 7. *See* CMO No. 7, ECF No. 112, at 7 ("Defendants also reserve all rights to move to dismiss . . . under Federal Rule of Civil Procedure Rule[] 12. Defendants shall only be permitted to file said motions to dismiss subject to leave of this Court."). CMO No. 7 thus expressly restricted defendants from moving to dismiss individual plaintiffs under Rule 12 absent leave of this Court. Indeed, the federal rules bar a defendant from later moving to dismiss for insufficient service of process only when the party "*could have raised* these objections in their [earlier] motion to dismiss the complaint." *Denkins v. William Penn Sch. Dist.*, No. 20-02228, 2020 WL 5880132, at \*3 (E.D. Pa. Oct. 2, 2020); *accord* Wright & Miller, 5C Fed. Prac. & Proc. Civ. § 1391 ("If one or more of these defenses are omitted from the initial motion but were 'then available' to the movant, they are permanently lost."). In filing their authorized dismissal motions pursuant to the tolling agreement and CMO No. 7, the AZ Defendants did not have leave to raise any other defense, including insufficient service as to a particular case. Having understood

and agreed that such motions were to be deferred to a later date and with leave of the Court, it is not correct that the AZ Defendants, or any other defendant, waived their defense of service by failing to argue it in their motions to dismiss related to purported violations of the tolling agreement.

Plaintiffs' next argument—that the AZ Defendants waived service either by filing an answer without raising service or by answering before service—is similarly unavailing. Plaintiffs assert that, as a general matter, waiver of service may occur where a defendant files an answer as its first responsive pleading and the answer fails to plead the defense. *See, e.g.*, Lucerne Resp. at 7, 13. Accordingly, Plaintiffs argue that there are three potential scenarios where service has been waived by answer. First, Plaintiffs claim that in any case where the AZ Defendants filed a short form answer, service was waived because the short form answer simply incorporated the AZ Defendants' initial long form answer. This, Plaintiffs maintain, is because the long form answer did not assert the defense of lack of service. *See, e.g., id.* at 14. Second, since a defendant's notice of appearance in a specific case may serve as a short form answer, *see* Case Management Order No. 27 (ECF No. 265), Plaintiffs contend that a notice of appearance after service is functionally the same as a short form answer—it incorporates the long form answer, which does not assert the defense of lack of service. Finally, Plaintiffs argue that a notice of appearance *before* service waives this defense under the terms of Case Management Order No. 27 for cases filed after September 24, 2018. *See, e.g.*, Lucerne Resp. at 8; *see also* CMO No. 27, at § 1.A.

As an initial matter, Plaintiffs' individual submissions here do not assert that the AZ Defendants filed a short form answer in any of their cases, and the dockets confirm no such short form answers exist. *See, e.g.*, Lucerne Resp., Ex. A; Lopez Resp., Ex. A; *see generally* No. 2:19-cv-04209; No. 2:18-cv-04494. Plaintiffs' first argument is thus inapplicable to the cases listed in

Exhibit A. Similarly, for the cases which are subject to CMO No. 27's provision that a notice of appearance *before* service waives the defense (i.e., cases filed on or after September 24, 2018), the dockets clearly reflect that, to the extent the AZ Defendants filed a Notice of Appearance, it was not until *after* service was (untimely) effected on them and after the entry of CMO 65. This leaves the Plaintiffs whose individual submissions assert the AZ Defendants filed a notice of appearance after service, which, they argue, waived the AZ Defendants' untimely service defense because those notices incorporated the long form answer without further raising such a defense. However, as discussed above, at that point, the AZ Defendants had specifically "reserve[d] all rights to move to dismiss ... under Federal Rules of Civil Procedure Rule[] 12" when they (and Plaintiffs) agreed to CMO No. 7. CMO No. 7 at § G. Accordingly, the Court concludes that by filing a notice of appearance in a case in which the AZ Defendants had plainly reserved their right to challenge service, that notice of appearance did not negate the prior reservation and thereby waive the defense.<sup>7</sup>

Plaintiffs' final argument on waiver is that the AZ Defendants waived their defense of service through their conduct in the PPI litigation either as a whole or in individual cases. In support of their argument as to the AZ Defendants' conduct in the litigation as a whole, Plaintiffs rely on *In re Cathode Ray Tube (CRT) Antitrust Litigation*, No. 07-5944, 2014 U.S. Dist. LEXIS 78902 (N.D. Cal. June 9, 2014). In that case, certain defendants raised their Rule 12(b)(5) defense to service in a consolidated motion to dismiss, but subsequently abandoned that 12(b)(5) motion in a later filing and then continued to participate in litigation for four years. The court found that under these circumstances those defendants had waived their defense of lack of service. *Id.* at \*84-

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<sup>7</sup> The Court also notes that even if, contrary to the record, the AZ Defendants had filed a short form answer in any of the cases at issue here, the AZ Defendants' reservation of rights from CMO No. 7 would mean that service was not waived.

88. The case is inapposite, however, as the AZ Defendants never previously raised—and subsequently abandoned—the defense of service in any of the cases identified here, and indeed was unable to without leave of the Court under CMO No. 7, as agreed to by the parties. Similarly, Plaintiffs’ reliance on *In re Methyl Tertiary Butyl Ether (“MTBE”) Prods. Liab. Litig.*, 162 F. Supp. 3d 247 (S.D.N.Y. Jan. 21, 2016), is misplaced. There, the plaintiff’s timely but defective service on the defendant’s prior (and thus incorrect) address combined with the defendant’s actions in participating in the litigation (including attending MDL status conferences in which the particular case was discussed and waiting until after the statute of limitations had expired before moving to dismiss the complaint for lack of service) contributed to the plaintiff being “lulled into believing it had effectively served” the defendant. *Id.* at 250. The court thus found that the defendant’s conduct justified the court’s exercising its discretion to extend the time for service, but, importantly, the court did not find that the defendant had waived its defense. *Id.* at 48-50. Plaintiffs here have not asserted that they timely served the AZ Defendants at the wrong address or were otherwise lulled into thinking that they had in fact properly served the AZ Defendants before CMO No. 65 was entered. Therefore, neither *In re CRT* nor *In re MTBE* justifies Plaintiffs’ argument.

Additionally, Plaintiffs’ general response argues that the AZ Defendants waived their defense of service by participating in the litigation of individual cases, citing *In re: Ethicon, Inc.*, No. 2:13-cv-00758, 2016 U.S. Dist. LEXIS 148765 (S.D.W.V. Oct. 27, 2016). But there, the defendants acknowledged receipt of a plaintiff profile form, requested additional information from the plaintiffs regarding their claims, and threatened to pursue a remedy in court if the plaintiff did not comply with their request. *Id.* at \*6. By contrast, none of the Plaintiffs in the 1,181 cases herein claim that they received a deficiency letter related to their Plaintiff Fact Sheet, or that the AZ

Defendants threatened to pursue a judicial remedy if the plaintiff did not cure the deficiency. In short, unlike in the *Ethicon* case, none of these Plaintiffs has demonstrated that the AZ Defendants have meaningfully participated in the litigation in their particular case. Further, the Court rejects Plaintiffs' suggestion to impute the AZ Defendants' conduct in defending themselves in cases not subject to CMO No. 65 to suggest that the AZ Defendants waived their defense of service of process in the specific cases identified in Exhibit A hereto.

Plaintiffs also assert that the AZ Defendants have waited too long to assert their defense of service. Plaintiffs rely on the Sixth Circuit's decision in *King v. Taylor*; however, in that case, unlike here, the defendant actively litigated the case by, among other things, filing a joint Rule 26(f) report, participating in depositions, seeking to extend discovery deadlines, and joining in a status report in that particular case, and only moved to dismiss for lack of service at the summary judgment stage. *King v. Taylor*, 694 F.3d 650, 659-61 (6th Cir. 2012). Here, however, none of the 1,181 cases identified in Exhibit A is a Bellwether case or a Wave case and thus the AZ Defendants have not participated in discovery in the individual cases like the defendant in *Taylor* did. Further, as noted previously, stipulated CMO No. 7 precluded the AZ Defendants from filing a motion to dismiss for lack of service without leave of the Court.

#### **IV. Conclusion**

CMO No. 65 required Plaintiffs to (1) show they timely served the AZ Defendants pursuant to Rule 4(m), (2) dismiss the AZ Defendants from their case, or (3) show cause why this Court should not dismiss the AZ Defendants from their cases. Plaintiffs whose cases are on Exhibit A have failed to meet their burden of demonstrating good cause for failure to comply with CMO No. 65 and effectuate timely service, and have failed to persuade the Court to exercise its discretion not to dismiss the AZ Defendants from their cases. Accordingly, this Court denies Plaintiffs'

requests for extensions and orders the AZ Defendants to be dismissed without prejudice from the cases identified in Exhibit A.<sup>8</sup>

Accordingly, **IT IS** on this 24 day of April, 2023;

**ORDERED** that the AZ Defendants shall be **DISMISSED** without prejudice from the cases identified in Exhibit A hereto.

**SO ORDERED.**

A handwritten signature in dark ink, appearing to read 'Cc', is positioned above a horizontal line.

**CLAIRE C. CECCHI, U.S.D.J.**

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<sup>8</sup> To the extent Plaintiffs in the cases identified in Exhibit A hereto have raised in their briefing any arguments not expressly addressed herein, the Court has considered and rejected them.

## Exhibit A

|    | Plaintiff Name  | Case No.      |
|----|---|---------------|
| 1  | Ronald Trent  | 2:18-cv-03769 |
| 2  | Sunny Nielson   | 2:18-cv-03770 |
| 3  | Valerie D. Bell   | 2:18-cv-03774 |
| 4  | Antonio D. Davis  | 2:18-cv-03775 |
| 5  | Misty Ashley  | 2:18-cv-03851 |
| 6  | Carolyn Ellis   | 2:18-cv-03855 |
| 7  | Fred Foscalina, As Proposed Administrator of the Estate of Betty Foscalina, Deceased    | 2:18-cv-03856 |
| 8  | Ronald Gardea   | 2:18-cv-03858 |
| 9  | Paul Gann and Candance Gann   | 2:18-cv-03878 |
| 10 | Alva Stewart  | 2:18-cv-03879 |
| 11 | Shawney Tackett, as Proposed Representative of the Estate of David L. Francis, Deceased | 2:18-cv-03880 |
| 12 | Nancy M. Crockett   | 2:18-cv-03883 |
| 13 | Lynda D. McKibben   | 2:18-cv-03885 |
| 14 | Leonore L. Sosa   | 2:18-cv-03886 |
| 15 | Nathaniel McDaniel  | 2:18-cv-03888 |
| 16 | Susan Cobb  | 2:18-cv-03889 |
| 17 | Mary E. Berry   | 2:18-cv-03898 |
| 18 | Kerrie Griffin  | 2:18-cv-04021 |
| 19 | Charlene Coffey   | 2:18-cv-04024 |
| 20 | Janet Gills   | 2:18-cv-04028 |
| 21 | Debra Grigsby   | 2:18-cv-04031 |
| 22 | Barbara Gibson  | 2:18-cv-04033 |
| 23 | Steven Knox   | 2:18-cv-04036 |
| 24 | Iva Good  | 2:18-cv-04038 |
| 25 | Larry Rutheford and Diane E. Rutheford  | 2:18-cv-04039 |
| 26 | Cynthia Gordon  | 2:18-cv-04042 |
| 27 | Doris Cook  | 2:18-cv-04043 |
| 28 | Alvin Cooper, as Proposed Representative of the Estate of Peggy Cooper, Deceased        | 2:18-cv-04045 |
| 29 | Ricky L. Graham   | 2:18-cv-04047 |
| 30 | Norman Kydd   | 2:18-cv-04048 |
| 31 | Jeanette Gillespie  | 2:18-cv-04049 |
| 32 | Joyce Gettys  | 2:18-cv-04052 |
| 33 | Joyce Covington   | 2:18-cv-04053 |
| 34 | Della I. Gregg  | 2:18-cv-04054 |
| 35 | Theresa Landingham  | 2:18-cv-04057 |
| 36 | Connie L. Croy  | 2:18-cv-04058 |
| 37 | Christopher Cracolice and Martha Ann Cracolice  | 2:18-cv-04064 |
| 38 | Terrisina Lawrence-Mason  | 2:18-cv-04065 |
| 39 | Dianne Webber   | 2:18-cv-04069 |
| 40 | Deborah Kirby and Thomas Kirby  | 2:18-cv-04073 |
| 41 | Gaye Riggle, As Proposed Administrator of the Estate of Thomas Riggle, Deceased         | 2:18-cv-04076 |
| 42 | Ethelyn Ruddell   | 2:18-cv-04077 |



## Exhibit A

|    |  |               |
|----|--|---------------|
| 43 | Denver Kennett and Delores Kennett   | 2:18-cv-04078 |
| 44 | Nancy Ritterbush   | 2:18-cv-04084 |
| 45 | Karen Reese  | 2:18-cv-04086 |
| 46 | Willa Roberts  | 2:18-cv-04087 |
| 47 | Tyrone Robinson  | 2:18-cv-04088 |
| 48 | John Van Ness  | 2:18-cv-04090 |
| 49 | Harry Hortsch  | 2:18-cv-04093 |
| 50 | John Ortiz   | 2:18-cv-04095 |
| 51 | Mike Moffat  | 2:18-cv-04139 |
| 52 | Kristine S. Murff  | 2:18-cv-04145 |
| 53 | Jeff Vider and Peggy Vider   | 2:18-cv-04151 |
| 54 | Laurie T. Lum  | 2:18-cv-04159 |
| 55 | Patrick Kirk and Rena Kirk   | 2:18-cv-04163 |
| 56 | Barbara Corley   | 2:18-cv-04164 |
| 57 | Danny Kinser   | 2:18-cv-04167 |
| 58 | Betty L. Sanner  | 2:18-cv-04169 |
| 59 | Valerie Taylor   | 2:18-cv-04173 |
| 60 | Charles Ketcherside  | 2:18-cv-04178 |
| 61 | Tia Hartmann   | 2:18-cv-04180 |
| 62 | Grady Harris   | 2:18-cv-04181 |
| 63 | Sue Ann Sanford  | 2:18-cv-04182 |
| 64 | Daniel Sharp   | 2:18-cv-04184 |
| 65 | Kathleen Johnson   | 2:18-cv-04190 |
| 66 | Rachel Hogg  | 2:18-cv-04192 |
| 67 | Barry Turner   | 2:18-cv-04193 |
| 68 | Janice Givins  | 2:18-cv-04197 |
| 69 | Gilda Saunders   | 2:18-cv-04198 |
| 70 | Isaac S. Reid  | 2:18-cv-04200 |
| 71 | Froncell Shannon   | 2:18-cv-04207 |
| 72 | Mary A. Williams   | 2:18-cv-04208 |
| 73 | Stephanie James and Bernard James  | 2:18-cv-04209 |
| 74 | Rayshell Robinson  | 2:18-cv-04215 |
| 75 | William Gilmore  | 2:18-cv-04216 |
| 76 | Lorraine Smith   | 2:18-cv-04217 |
| 77 | Deborah Harling  | 2:18-cv-04218 |
| 78 | Samantha Hawksorth, As Proposed Representative of the Estate of David L. Hawksorth, Deceased | 2:18-cv-04220 |
| 79 | Richard Hobbs  | 2:18-cv-04222 |
| 80 | Michael Arnold   | 2:18-cv-04454 |
| 81 | Linda Atkinson and Tommy Atkinson  | 2:18-cv-04459 |
| 82 | Larry Brewer, Sr.  | 2:18-cv-04461 |
| 83 | Sylvia Brooks  | 2:18-cv-04462 |
| 84 | Herbert Banks and Myra Banks   | 2:18-cv-04463 |
| 85 | Willien Holmes   | 2:18-cv-04464 |
| 86 | Geneva Corbitt   | 2:18-cv-04465 |
| 87 | Jerry Cameron  | 2:18-cv-04467 |
| 88 | Kimberly A. Clark  | 2:18-cv-04469 |

## Exhibit A

|     |   |               |
|-----|---|---------------|
| 89  | Edna Fitzsimmons  | 2:18-cv-04472 |
| 90  | Jerry Campbell  | 2:18-cv-04473 |
| 91  | Wendy Bess  | 2:18-cv-04474 |
| 92  | Thelma Hampton  | 2:18-cv-04476 |
| 93  | Donald Coble  | 2:18-cv-04478 |
| 94  | Norman Holloway   | 2:18-cv-04481 |
| 95  | Rozell Collins  | 2:18-cv-04482 |
| 96  | Cassandra Howard  | 2:18-cv-04484 |
| 97  | Kent Davis  | 2:18-cv-04486 |
| 98  | Kathy Cook  | 2:18-cv-04487 |
| 99  | Douglas Ivey  | 2:18-cv-04488 |
| 100 | Sharren Crowell   | 2:18-cv-04489 |
| 101 | Michael Lopez   | 2:18-cv-04494 |
| 102 | Sandra Davis  | 2:18-cv-04496 |
| 103 | Robert Parham, Jr.  | 2:18-cv-04497 |
| 104 | Junior McDaniel   | 2:18-cv-04498 |
| 105 | Climmie Gibbons   | 2:18-cv-04499 |
| 106 | Teresa Harlen, as Proposed Representative of the Estate of Jack R. Harlen, Deceased | 2:18-cv-04500 |
| 107 | Herschel Merriett   | 2:18-cv-04503 |
| 108 | Virginia Rackins  | 2:18-cv-04504 |
| 109 | Otis Roberts  | 2:18-cv-04507 |
| 110 | Henry Hess, Sr.   | 2:18-cv-04509 |
| 111 | Charles Graham  | 2:18-cv-04510 |
| 112 | Gail Semler   | 2:18-cv-04513 |
| 113 | Laquanda Riggins  | 2:18-cv-04514 |
| 114 | Patricia Simmons  | 2:18-cv-04515 |
| 115 | Antonia Simmons   | 2:18-cv-04517 |
| 116 | Jessie Martin   | 2:18-cv-04519 |
| 117 | Mary Hankamer and Ed Hankamer   | 2:18-cv-04520 |
| 118 | Christina Shubrick  | 2:18-cv-04521 |
| 119 | Michael Morelock  | 2:18-cv-04522 |
| 120 | Corliss Royal   | 2:18-cv-04523 |
| 121 | Yvonne Sheers   | 2:18-cv-04524 |
| 122 | Adeana Hardin   | 2:18-cv-04525 |
| 123 | Brenda Dale   | 2:18-cv-04526 |
| 124 | Brenda Smith-Capps  | 2:18-cv-04527 |
| 125 | Kelly Smith   | 2:18-cv-04529 |
| 126 | Frances Hardins   | 2:18-cv-04530 |
| 127 | Ronald White  | 2:18-cv-04531 |
| 128 | Delma Comer   | 2:18-cv-04532 |
| 129 | Barbara Sapp-Greene   | 2:18-cv-04533 |
| 130 | Mary Haynes   | 2:18-cv-04535 |
| 131 | Sandra Young  | 2:18-cv-04536 |
| 132 | Paul E. Wheeler   | 2:18-cv-04537 |
| 133 | Betty Head  | 2:18-cv-04538 |
| 134 | Kathy Shegda  | 2:18-cv-04542 |

|     |   |               |
|-----|---|---------------|
| 135 | Kathleen Hughes   | 2:18-cv-04543 |
| 136 | Terria Wallace-Terrell  | 2:18-cv-04544 |
| 137 | Philip Sawyer   | 2:18-cv-04545 |
| 138 | Gary Nunez  | 2:18-cv-04614 |
| 139 | Rhea Smith  | 2:18-cv-04615 |
| 140 | Dwayne Fails  | 2:18-cv-04618 |
| 141 | Daniel Opp  | 2:18-cv-04622 |
| 142 | Tina Bowman   | 2:18-cv-04623 |
| 143 | Ted Smith   | 2:18-cv-04624 |
| 144 | Betty Brumfield   | 2:18-cv-04626 |
| 145 | Walter Hammond and Adah Kennon  | 2:18-cv-04628 |
| 146 | Alvin Stafford  | 2:18-cv-04629 |
| 147 | Edward Chicarelli, Sr.  | 2:18-cv-04631 |
| 148 | Gregory Chicarelli  | 2:18-cv-04635 |
| 149 | Valerie Jones   | 2:18-cv-04636 |
| 150 | John Sydnor   | 2:18-cv-04637 |
| 151 | Jacqueline Blake  | 2:18-cv-04638 |
| 152 | Jason Kellems   | 2:18-cv-04639 |
| 153 | Barbara Johnson   | 2:18-cv-04640 |
| 154 | William E. Taulbee  | 2:18-cv-04646 |
| 155 | James Thornhill   | 2:18-cv-04651 |
| 156 | Keith Likes   | 2:18-cv-04652 |
| 157 | Mark Pickens  | 2:18-cv-04657 |
| 158 | Peggy Waldron   | 2:18-cv-04658 |
| 159 | Dawn Lockett  | 2:18-cv-04659 |
| 160 | Carolyn Polly   | 2:18-cv-04660 |
| 161 | Jerry Queen   | 2:18-cv-04661 |
| 162 | Bobbie Walker   | 2:18-cv-04663 |
| 163 | Eugenia Long  | 2:18-cv-04664 |
| 164 | Joaquin Ramos and Linda Ramos   | 2:18-cv-04665 |
| 165 | Margaret Manly  | 2:18-cv-04667 |
| 166 | Janie Washington  | 2:18-cv-04669 |
| 167 | Dena Sinnett  | 2:18-cv-04671 |
| 168 | Brian Boyd  | 2:18-cv-04672 |
| 169 | Rachedia Ross, as Proposed Representative of the Estate of Kelli Prevo,<br>Deceased | 2:18-cv-04681 |
| 170 | Thelma Mason  | 2:18-cv-04684 |
| 171 | Brenda Read   | 2:18-cv-04687 |
| 172 | Julie Redderson   | 2:18-cv-04690 |
| 173 | Harvey Chavez   | 2:18-cv-04695 |
| 174 | Patricia J Smith  | 2:18-cv-04696 |
| 175 | Judith Turner   | 2:18-cv-04697 |
| 176 | Irma Santana  | 2:18-cv-04698 |
| 177 | Michael Chivers   | 2:18-cv-04699 |
| 178 | Sharon Turner   | 2:18-cv-04700 |
| 179 | Paula Saul  | 2:18-cv-04703 |
| 180 | Paula Sue Schilling   | 2:18-cv-04706 |

## Exhibit A

|     |                                      |               |
|-----|--------------------------------------|---------------|
| 181 | Milton Sidwell                       | 2:18-cv-04708 |
| 182 | Wilma Wilson                         | 2:18-cv-04710 |
| 183 | Amoikon Ngouan                       | 2:18-cv-05032 |
| 184 | Roger Phillips and Margaret Phillips | 2:18-cv-05034 |
| 185 | Erika Short                          | 2:18-cv-05035 |
| 186 | Joseph Stephenson                    | 2:18-cv-05036 |
| 187 | Linda Swinford-Cooksey               | 2:18-cv-05037 |
| 188 | Elizabeth Talton                     | 2:18-cv-05039 |
| 189 | Wanda Thomas                         | 2:18-cv-05040 |
| 190 | Guy Thomas                           | 2:18-cv-05043 |
| 191 | Sharon Thornhill                     | 2:18-cv-05044 |
| 192 | Isaiah Thomas                        | 2:18-cv-05045 |
| 193 | Patricia Vineyard                    | 2:18-cv-05046 |
| 194 | Donna Wicker                         | 2:18-cv-05048 |
| 195 | Michael Yardrough                    | 2:18-cv-05050 |
| 196 | Perry Trowbridge                     | 2:18-cv-05051 |
| 197 | Kathy Baumgartner                    | 2:18-cv-05052 |
| 198 | Keith Turner                         | 2:18-cv-05053 |
| 199 | Betty Dodd                           | 2:18-cv-05054 |
| 200 | Lorenzo Valenzuela                   | 2:18-cv-05055 |
| 201 | Maria Valenzuela                     | 2:18-cv-05057 |
| 202 | Patrika Vestal                       | 2:18-cv-05059 |
| 203 | Crystal Cartier                      | 2:18-cv-05063 |
| 204 | Jerry Messer                         | 2:18-cv-05067 |
| 205 | John Muncy                           | 2:18-cv-05071 |
| 206 | Linda Williams                       | 2:18-cv-05075 |
| 207 | Patricia Younger                     | 2:18-cv-05078 |
| 208 | Michael Worthen                      | 2:18-cv-05079 |
| 209 | Robert Dryden                        | 2:18-cv-05081 |
| 210 | Ricky Thomas                         | 2:18-cv-05082 |
| 211 | Christina Ward                       | 2:18-cv-05083 |
| 212 | Charla Mogg                          | 2:18-cv-05084 |
| 213 | Tommy Huff, Sr.                      | 2:18-cv-05086 |
| 214 | Renee Martinez                       | 2:18-cv-05128 |
| 215 | Ramon Barrios                        | 2:18-cv-05129 |
| 216 | Stephen Mitchell                     | 2:18-cv-05130 |
| 217 | Allen Murrow                         | 2:18-cv-05132 |
| 218 | Jerry Franklin                       | 2:18-cv-05133 |
| 219 | Myra McAllister                      | 2:18-cv-05134 |
| 220 | Marilyn McCallister                  | 2:18-cv-05136 |
| 221 | Anthony Taormina                     | 2:18-cv-05137 |
| 222 | Charles Smith                        | 2:18-cv-05138 |
| 223 | Donnie Mink                          | 2:18-cv-05140 |
| 224 | Melody Nequette                      | 2:18-cv-05141 |
| 225 | Darlene Farr                         | 2:18-cv-05143 |
| 226 | Catherine Morton-Davis               | 2:18-cv-05144 |
| 227 | Bonnie Goodchild                     | 2:18-cv-05146 |

## Exhibit A

|     |  |               |
|-----|--|---------------|
| 228 | Dana Butler  | 2:18-cv-05148 |
| 229 | Phillip Harris and Denise Harris   | 2:18-cv-05150 |
| 230 | Hermon McNac, as Proposed Representative of the Estate of Lillie M. Butler, Deceased | 2:18-cv-05152 |
| 231 | Glenda Mays  | 2:18-cv-05153 |
| 232 | Kathryn Caban  | 2:18-cv-05155 |
| 233 | Christine Scott  | 2:18-cv-05158 |
| 234 | Crystal Henson   | 2:18-cv-05160 |
| 235 | David McMillen   | 2:18-cv-05161 |
| 236 | Clara Singleton  | 2:18-cv-05162 |
| 237 | Timothy Carter   | 2:18-cv-05163 |
| 238 | Barbara Lambert and Paul Lambert   | 2:18-cv-05164 |
| 239 | Phillip Tavegia  | 2:18-cv-05165 |
| 240 | Sarah Mitchell   | 2:18-cv-05166 |
| 241 | Charlotte Means  | 2:18-cv-05167 |
| 242 | Richard Moran  | 2:18-cv-05170 |
| 243 | Frederick Nickerson  | 2:18-cv-05171 |
| 244 | Diane Murphy   | 2:18-cv-05174 |
| 245 | Glenn Nemecek  | 2:18-cv-05177 |
| 246 | Margorie Walker  | 2:18-cv-05178 |
| 247 | Ruth Williamson  | 2:18-cv-05179 |
| 248 | Harold E. Rakestraw  | 2:18-cv-05183 |
| 249 | Linda Smith  | 2:18-cv-05186 |
| 250 | Caroline Weatherton  | 2:18-cv-05189 |
| 251 | Janie Wright   | 2:18-cv-05190 |
| 252 | Marisha Miller   | 2:18-cv-05191 |
| 253 | Melinda McMillen and Lawrence R. McMillen  | 2:18-cv-05194 |
| 254 | Louanna Dunlap   | 2:18-cv-05195 |
| 255 | Nancy Miller   | 2:18-cv-05197 |
| 256 | George Hansen  | 2:18-cv-05198 |
| 257 | Dwight Smith   | 2:18-cv-05202 |
| 258 | Freddie Johnson  | 2:18-cv-05205 |
| 259 | Rebecca Johnston   | 2:18-cv-05206 |
| 260 | Alfred Vargas  | 2:18-cv-05207 |
| 261 | Deanna Lacy  | 2:18-cv-05208 |
| 262 | Terry Rasmussen  | 2:18-cv-05209 |
| 263 | Barbara Manuel   | 2:18-cv-05212 |
| 264 | Norma Williams   | 2:18-cv-05213 |
| 265 | Teresa Byers   | 2:18-cv-05431 |
| 266 | Adrian Nagy  | 2:18-cv-05432 |
| 267 | Anthony Richardson   | 2:18-cv-05434 |
| 268 | Rosemary Lehr  | 2:18-cv-05437 |
| 269 | Donald Gibson  | 2:18-cv-05438 |
| 270 | Lindell Shelby   | 2:18-cv-05439 |
| 271 | Susan Miller   | 2:18-cv-05441 |
| 272 | William Wade   | 2:18-cv-05449 |
| 273 | Larry Huffman  | 2:18-cv-05451 |

|     |   |               |
|-----|---|---------------|
| 274 | William Wegis   | 2:18-cv-05453 |
| 275 | Darrell Crow  | 2:18-cv-05454 |
| 276 | Gerald Whatley  | 2:18-cv-05455 |
| 277 | Joseph Cervantes  | 2:18-cv-05456 |
| 278 | Sherry Hunt   | 2:18-cv-05457 |
| 279 | Kit Middleton   | 2:18-cv-05461 |
| 280 | Sandra Garrett  | 2:18-cv-05463 |
| 281 | Hilda Johnson   | 2:18-cv-05464 |
| 282 | Tony Hernandez  | 2:18-cv-05472 |
| 283 | Bryan Swanson   | 2:18-cv-05476 |
| 284 | Pamela Clark  | 2:18-cv-05478 |
| 285 | Melvin Stubbs   | 2:18-cv-05479 |
| 286 | Brett Timothy   | 2:18-cv-05481 |
| 287 | Linda M. Williams   | 2:18-cv-05482 |
| 288 | Cecelia Clipper   | 2:18-cv-05483 |
| 289 | Jennifer Wolfe  | 2:18-cv-05485 |
| 290 | Catherine Farrell   | 2:18-cv-05487 |
| 291 | Sharon Powers   | 2:18-cv-05488 |
| 292 | Arthur Warshawsky   | 2:18-cv-05490 |
| 293 | Martha Burns  | 2:18-cv-05495 |
| 294 | Gary Robertson  | 2:18-cv-05499 |
| 295 | Kyle Rose   | 2:18-cv-05500 |
| 296 | Margie Jennings   | 2:18-cv-05501 |
| 297 | Rickey Carihfield, As Proposed Representative of the Estate of Miki L. Carihfield, deceased | 2:18-cv-05502 |
| 298 | Jeffrey Jones   | 2:18-cv-05504 |
| 299 | Deborah Lee   | 2:18-cv-05507 |
| 300 | Ellen Moritt  | 2:18-cv-05509 |
| 301 | Burma Sizemore  | 2:18-cv-05511 |
| 302 | Bob Hoover  | 2:18-cv-05513 |
| 303 | Carmen Stevens  | 2:18-cv-05516 |
| 304 | Samantha Lawson   | 2:18-cv-05520 |
| 305 | Shirley Teel, as Proposed Representative of the Estate of Ezra C. Teel, Deceased            | 2:18-cv-05521 |
| 306 | Margie Delauder   | 2:18-cv-05526 |
| 307 | Brenda Bunch  | 2:18-cv-05942 |
| 308 | Richard Cannon  | 2:18-cv-05947 |
| 309 | Melissa Curry   | 2:18-cv-05952 |
| 310 | Brenda Dye  | 2:18-cv-05956 |
| 311 | Sheryl Gerald   | 2:18-cv-05959 |
| 312 | Cedric Florence   | 2:18-cv-05960 |
| 313 | Dennis Lane   | 2:18-cv-05962 |
| 314 | Marsha Layman   | 2:18-cv-05964 |
| 315 | Joyce Noble   | 2:18-cv-05968 |
| 316 | Samantha Riddle   | 2:18-cv-05971 |
| 317 | Richard Slate   | 2:18-cv-05973 |
| 318 | Gwenda Steele   | 2:18-cv-05975 |

|     |   |               |
|-----|---|---------------|
| 319 | Barbara Gibson, as Proposed Representative of the Estate of Alta Gibson, Deceased | 2:18-cv-05976 |
| 320 | William Taylor  | 2:18-cv-05977 |
| 321 | Janet Washington  | 2:18-cv-05978 |
| 322 | George Hawkins  | 2:18-cv-05980 |
| 323 | Dana Wilson   | 2:18-cv-05982 |
| 324 | Michael Longacre  | 2:18-cv-05988 |
| 325 | Linda Martin  | 2:18-cv-05989 |
| 326 | Debra O'Neal  | 2:18-cv-05993 |
| 327 | Elnora Pope   | 2:18-cv-05995 |
| 328 | Susan Reedy   | 2:18-cv-05996 |
| 329 | Debbie Reynolds   | 2:18-cv-05997 |
| 330 | Lacy Skinner  | 2:18-cv-06000 |
| 331 | Linda Wilson  | 2:18-cv-06002 |
| 332 | Brenda Young  | 2:18-cv-06003 |
| 333 | Kathryn Anderson  | 2:18-cv-06134 |
| 334 | Larry Basham and Linda Basham   | 2:18-cv-06138 |
| 335 | Mary Hollander  | 2:18-cv-06148 |
| 336 | Lance Faulkner  | 2:18-cv-06154 |
| 337 | Christina Ford  | 2:18-cv-06157 |
| 338 | Ruby Brake  | 2:18-cv-06161 |
| 339 | Sharon Reid   | 2:18-cv-06164 |
| 340 | Jimmy Brown   | 2:18-cv-06165 |
| 341 | Bartholomew Gaiera and Karen Gaiera   | 2:18-cv-06166 |
| 342 | Gregory Russell   | 2:18-cv-06169 |
| 343 | Kathlene Brown  | 2:18-cv-06171 |
| 344 | Sarah Brown   | 2:18-cv-06175 |
| 345 | Sonjia Short  | 2:18-cv-06177 |
| 346 | Donald Silas  | 2:18-cv-06180 |
| 347 | Rita Bentley  | 2:18-cv-06184 |
| 348 | Rebecca Harrington  | 2:18-cv-06196 |
| 349 | Linda Buie  | 2:18-cv-06198 |
| 350 | Patricia Hasty  | 2:18-cv-06202 |
| 351 | John Copp   | 2:18-cv-06204 |
| 352 | Sherry Davis  | 2:18-cv-06206 |
| 353 | Garry Jackson   | 2:18-cv-06207 |
| 354 | Richard Jackson and Judy Fontenot   | 2:18-cv-06214 |
| 355 | John Whatley  | 2:18-cv-06216 |
| 356 | Eugene Johnson  | 2:18-cv-06222 |
| 357 | Beverly Elgan   | 2:18-cv-06223 |
| 358 | Susan Downs   | 2:18-cv-06224 |
| 359 | Cardell Woodard   | 2:18-cv-06225 |
| 360 | Sharon Farris   | 2:18-cv-06227 |
| 361 | Junita Horn   | 2:18-cv-06231 |
| 362 | Bonnie Mize   | 2:18-cv-06232 |
| 363 | Jackie Knight   | 2:18-cv-06233 |
| 364 | Sarah Landry  | 2:18-cv-06239 |

|     |  |               |
|-----|--|---------------|
| 365 | Richard Guterrez   | 2:18-cv-06240 |
| 366 | Richard Leonard  | 2:18-cv-06244 |
| 367 | Karla Lee  | 2:18-cv-06245 |
| 368 | Theodore Logan, Jr.  | 2:18-cv-06250 |
| 369 | Sonja Prince   | 2:18-cv-06251 |
| 370 | Belinda Holland  | 2:18-cv-06253 |
| 371 | Tunya Lowe   | 2:18-cv-06256 |
| 372 | Steve Thompson   | 2:18-cv-06260 |
| 373 | Dorothy Van Horn   | 2:18-cv-06264 |
| 374 | Sandra Walling   | 2:18-cv-06268 |
| 375 | Marlene McIntyre   | 2:18-cv-06270 |
| 376 | Michael Wetselline   | 2:18-cv-06271 |
| 377 | Patina Johnson   | 2:18-cv-06274 |
| 378 | Billy Largen and Donna Brown   | 2:18-cv-06278 |
| 379 | Lillian Paxton   | 2:18-cv-06284 |
| 380 | Bob Russom   | 2:18-cv-06288 |
| 381 | Susan White, as Proposed Representative of the Estate of Eugene Kujawski, Deceased                     | 2:18-cv-06432 |
| 382 | Johnny Daniels   | 2:18-cv-06440 |
| 383 | Emilee Palmer and Michael D. Palmer  | 2:18-cv-06449 |
| 384 | Mary Nordby, as Proposed Representative of the Estate of Joan Jackson, Deceased                        | 2:18-cv-06450 |
| 385 | Tina Thornburg   | 2:18-cv-06456 |
| 386 | Ennis Dunning  | 2:18-cv-06460 |
| 387 | Marsha Graham, as Proposed Representative of the Estate of Gary Graham, Deceased                       | 2:18-cv-06467 |
| 388 | Kevin Harper   | 2:18-cv-06473 |
| 389 | Travis Charlton, As Proposed Representative of the Estate of Cynthia Halbert, Deceased                 | 2:18-cv-06476 |
| 390 | Ima Young and Hollis Young-Wheely  | 2:18-cv-06480 |
| 391 | Lesa Honn, Individually and as Proposed Representative of the Estate of Leonard Honn, Deceased         | 2:18-cv-06481 |
| 392 | Teresa Alvarez, Individually and as Proposed Representative of the Estate of Thomas Alvarez, Deceased  | 2:18-cv-06484 |
| 393 | Rosie Alvarez, Individually and as Proposed Representative of the Estate of Urbano Alvarez, Deceased   | 2:18-cv-06488 |
| 394 | Nina Fernandez, as Proposed Representative of the Estate of Sanra Nobil, Deceased                      | 2:18-cv-06497 |
| 395 | Bradley Olson and Shirley Olson  | 2:18-cv-06498 |
| 396 | Bernice Haley, Individually and as Proposed Representative of the Estate of Dennis Ray Haley, Deceased | 2:18-cv-06504 |
| 397 | Jerry Blosser, Individually and as Proposed Representative of the Estate of Wanda Blosser, Deceased    | 2:18-cv-06515 |
| 398 | Norma Stillwagoner   | 2:18-cv-06520 |
| 399 | Debbie Edgell, Individually and as Proposed Representative of the Estate of Jackie Edgell, Deceased    | 2:18-cv-06521 |



## Exhibit A

|     |   |               |
|-----|---|---------------|
| 400 | Karen Keenan, Individually and as Proposed Representative of the Estate of Larry Keenan, Deceased           | 2:18-cv-06522 |
| 401 | Shirley Morton, Individually and as Proposed Representative of the Estate of Delbert P Morton Sr., Deceased | 2:18-cv-06527 |
| 402 | James McDade, as Proposed Representative of the Estate of Laverne McDade, Deceased                          | 2:18-cv-06528 |
| 403 | Gina Zerby, Individually and as the Proposed Representative of Michael Zerby, Deceased                      | 2:18-cv-06532 |
| 404 | Lillian Paxton, Individually and as Proposed Representative of the Estate of John Paxton, Deceased          | 2:18-cv-06533 |
| 405 | Michelle Wilson   | 2:18-cv-06540 |
| 406 | Rita Johnson, as Proposed Representative of the Estate of Lessie Tharpe, Deceased                           | 2:18-cv-06549 |
| 407 | Emily Knotts, as Proposed Representative of the Estate of Cheryl Stefenel, Deceased                         | 2:18-cv-06552 |
| 408 | William Cavanaugh and Margaret Cavanaugh  | 2:18-cv-06791 |
| 409 | Julie Cross   | 2:18-cv-06800 |
| 410 | Jacquelyn Booker  | 2:18-cv-06834 |
| 411 | Dianne Caldwell   | 2:18-cv-06846 |
| 412 | Brenda Cameron  | 2:18-cv-06854 |
| 413 | Leona Collins, Individually and as the Representative of the Estate of Deniese Collins, Deceased            | 2:18-cv-06869 |
| 414 | Patrick Connors   | 2:18-cv-06876 |
| 415 | Larry Ludwick   | 2:18-cv-06937 |
| 416 | Gladys Maddox   | 2:18-cv-06939 |
| 417 | Frank Rendon  | 2:18-cv-06940 |
| 418 | Johnnie Oliver  | 2:18-cv-06947 |
| 419 | Charles Jones, as Proposed Representative of the Estate of Victoria Jones, Deceased                         | 2:18-cv-06952 |
| 420 | John Cole   | 2:18-cv-06962 |
| 421 | Helen Robinson  | 2:18-cv-06963 |
| 422 | Dorothy Alegria, As the Representative of the Estate of Edwin Alegria, deceased                             | 2:18-cv-06966 |
| 423 | Charles Howard  | 2:18-cv-06986 |
| 424 | Luvern Purnell  | 2:18-cv-06997 |
| 425 | Amy Qualles   | 2:18-cv-07001 |
| 426 | Teresa Hill-Ibrahim   | 2:18-cv-07005 |
| 427 | Barbara Burger  | 2:18-cv-07027 |
| 428 | Kathy Lockhart  | 2:18-cv-07032 |
| 429 | Dionna McGairk  | 2:18-cv-07043 |
| 430 | Vertis Kellam   | 2:18-cv-07048 |
| 431 | Judy Bradshaw, Individually and as the Representative of the Estate of Jimmy Bradshaw, Deceased             | 2:18-cv-07049 |
| 432 | Richard Oyerbides, Individually and as the Representative of the Estate of Rebecca Mobley, Deceased         | 2:18-cv-07052 |
| 433 | Shane Kilgore   | 2:18-cv-07057 |
| 434 | Judy Wolford  | 2:18-cv-07079 |

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| 435 | Aquinda Woodrum  | 2:18-cv-07084 |
| 436 | Virginia Boyd  | 2:18-cv-07090 |
| 437 | Carl Evans Jr. and Carolyn Evans   | 2:18-cv-07106 |
| 438 | Herman Firmin  | 2:18-cv-07110 |
| 439 | Cornelius Bentley Sr.  | 2:18-cv-07112 |
| 440 | Herbert Johnson  | 2:18-cv-07130 |
| 441 | Joan Stoveken, Individually and as the Representative of the Estate of Gay Stoveken, Deceased          | 2:18-cv-07137 |
| 442 | Angela Spicer, Individually and as the Representative of the Estate of James Spicer, Deceased          | 2:18-cv-07148 |
| 443 | Amanda Turner, Individually and as the Representative of the Estate of Ronald Turner, Deceased         | 2:18-cv-07153 |
| 444 | Christopher Crittenden   | 2:18-cv-07154 |
| 445 | Jessie Darby, Individually and as the Representative of the Estate of Donnie Darby, Deceased           | 2:18-cv-07156 |
| 446 | Malissa Wilson   | 2:18-cv-07170 |
| 447 | Erick Barnes   | 2:18-cv-07187 |
| 448 | John Norton  | 2:18-cv-07192 |
| 449 | Tammy Perry  | 2:18-cv-07194 |
| 450 | Brenda Fletcher  | 2:18-cv-07203 |
| 451 | Nancy Esque  | 2:18-cv-07208 |
| 452 | Kathleen King  | 2:18-cv-07228 |
| 453 | Robert Brown   | 2:18-cv-07234 |
| 454 | Diane McGee, individually and as the Representative of the Estate of Kevin McGee, Deceased             | 2:18-cv-07239 |
| 455 | Mary Laffoon   | 2:18-cv-07243 |
| 456 | George Gale  | 2:18-cv-07267 |
| 457 | Clarence Abrams  | 2:18-cv-07270 |
| 458 | Bonnie Apple   | 2:18-cv-07287 |
| 459 | Helen Cannon   | 2:18-cv-07302 |
| 460 | Sharon Ayers-Johnson   | 2:18-cv-07313 |
| 461 | Olivia Hogan, Individually and as the Representative of the Estate of Maggie Harrison, Deceased        | 2:18-cv-07319 |
| 462 | Brenda Bell  | 2:18-cv-07333 |
| 463 | Thomas Russo   | 2:18-cv-07340 |
| 464 | Forest Moore   | 2:18-cv-07351 |
| 465 | Paul Lue, Individually and as the Representative of the Estate of Hyacinth Johnson, Deceased           | 2:18-cv-07352 |
| 466 | Ernestine Mays-Mitchell, Individually and as the Representative of the Estate of Ernest Mays, Deceased | 2:18-cv-07365 |
| 467 | Clarence Rich  | 2:18-cv-07373 |
| 468 | Cynthia Stapleton  | 2:18-cv-07381 |
| 469 | Alice Williams   | 2:18-cv-07390 |
| 470 | Birdie Woods   | 2:18-cv-07438 |
| 471 | Lynette Tucker   | 2:18-cv-07441 |
| 472 | Mary Murphy, Individually and as the Representative of the Estate of Garland Murphy, Deceased          | 2:18-cv-07450 |

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| 473 | Ronald Chasteen   | 2:18-cv-07474 |
| 474 | Douglas Dennison  | 2:18-cv-07488 |
| 475 | Kathleen White  | 2:18-cv-07501 |
| 476 | Shirley Newsome   | 2:18-cv-07503 |
| 477 | Lloyd Fleenor   | 2:18-cv-07515 |
| 478 | Jamie Morgan, Individually and as the Representative of the Estate of Bernard Morgan, Deceased      | 2:18-cv-07526 |
| 479 | Cecelia Roberts   | 2:18-cv-07534 |
| 480 | Tammy Taylor  | 2:18-cv-07538 |
| 481 | Bessie Madden   | 2:18-cv-07541 |
| 482 | Frank Tropier, Individually and as the Representative of the Estate of Irene Tropier, Deceased      | 2:18-cv-07544 |
| 483 | Deborah King, Individually and as the Representative of the Estate of Eva Manley, Deceased          | 2:18-cv-07550 |
| 484 | Curtis Blankenship  | 2:18-cv-07553 |
| 485 | Betty Apellido  | 2:18-cv-07557 |
| 486 | Ora Groves  | 2:18-cv-07590 |
| 487 | Gloria Dietrich   | 2:18-cv-07592 |
| 488 | Robin Eden  | 2:18-cv-07613 |
| 489 | Walker Howell   | 2:18-cv-07616 |
| 490 | Stephanie Ralston-Bailey  | 2:18-cv-07617 |
| 491 | Laura Richie  | 2:18-cv-07622 |
| 492 | Regina Salisbury  | 2:18-cv-07632 |
| 493 | Marlene Hatfield  | 2:18-cv-07639 |
| 494 | Caren Singer  | 2:18-cv-07640 |
| 495 | Randall Morton  | 2:18-cv-07662 |
| 496 | Sharon Nali   | 2:18-cv-07667 |
| 497 | Irvin Albright  | 2:18-cv-07669 |
| 498 | Mary Ann Negrete, individually and as the Representative of the Estate of Hiram Negrete, Deceased   | 2:18-cv-07671 |
| 499 | William Solis, Individually and as the Representative of the Estate of Aura Burgos, Deceased        | 2:18-cv-07688 |
| 500 | Ronald Klinenberg   | 2:18-cv-07706 |
| 501 | Linda Weller, Individually and as the Representative of the Estate of Marjorie Beecher, Deceased    | 2:18-cv-07707 |
| 502 | Luis Nesta  | 2:18-cv-07708 |
| 503 | Lorraine Turco  | 2:18-cv-07713 |
| 504 | Delorise Marks  | 2:18-cv-07716 |
| 505 | Mildred Hernandez, Individually and as the Representative of the Estate of Charles Varela, Deceased | 2:18-cv-07724 |
| 506 | Hazel Phillips  | 2:18-cv-07748 |
| 507 | Elvia Quiroga, Individually and as the Representative of the Estate of Pedro Quiroga, Deceased      | 2:18-cv-07751 |
| 508 | Tracie Powers   | 2:18-cv-07756 |
| 509 | Mary Rivali, Individually and as the Representative of the Estate of Robert Rivali, Deceased        | 2:18-cv-07760 |
| 510 | Roger Nelson  | 2:18-cv-07773 |

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| 511 | Marilyn Sullivan, Individually and as the Representative of the Estate of Evelyn Sullivan, Deceased | 2:18-cv-07781 |
| 512 | Bernadine Hardie  | 2:18-cv-07795 |
| 513 | Peter Guerrero  | 2:18-cv-07796 |
| 514 | Delisha Thomas  | 2:18-cv-07801 |
| 515 | Joel Neidlinger   | 2:18-cv-07833 |
| 516 | Deanna Shafer   | 2:18-cv-07851 |
| 517 | Michael Barnett   | 2:19-cv-01055 |
| 518 | Susan Hageman, As Proposed Representative of the Estate of Jack Hageman, Deceased                   | 2:19-cv-01584 |
| 519 | Dennis Kendall  | 2:19-cv-01668 |
| 520 | Quintin Dennis  | 2:19-cv-01813 |
| 521 | Ruth Dobson   | 2:19-cv-01849 |
| 522 | Martha Griffith   | 2:19-cv-01853 |
| 523 | William Hall  | 2:19-cv-01859 |
| 524 | Gloria Haywood  | 2:19-cv-01881 |
| 525 | James Amato   | 2:19-cv-01883 |
| 526 | Ruth Hurd   | 2:19-cv-01887 |
| 527 | Eric Hurwitz  | 2:19-cv-01889 |
| 528 | Patricia Joppien  | 2:19-cv-01897 |
| 529 | Paul Jozwiak  | 2:19-cv-01902 |
| 530 | Ethel Birch   | 2:19-cv-01914 |
| 531 | Michele Blomont   | 2:19-cv-01923 |
| 532 | George Bonis  | 2:19-cv-01931 |
| 533 | Raymond Bryant  | 2:19-cv-01939 |
| 534 | John Bottoms  | 2:19-cv-01945 |
| 535 | Cindy Campbell  | 2:19-cv-01948 |
| 536 | Colleen Cantwell  | 2:19-cv-01965 |
| 537 | Janis Carlton, Individually and as the Representative fo the Estate of Arland Carlton Jr., Deceased | 2:19-cv-01976 |
| 538 | Gladys Carpenter  | 2:19-cv-01981 |
| 539 | Pete Caudillo   | 2:19-cv-01990 |
| 540 | Brandon Cole  | 2:19-cv-02004 |
| 541 | Robert Crenshaw   | 2:19-cv-02011 |
| 542 | Wanda Crager  | 2:19-cv-02012 |
| 543 | Jason Daniels   | 2:19-cv-02015 |
| 544 | Linda McMillen  | 2:19-cv-02035 |
| 545 | Odessa Mitchell   | 2:19-cv-02040 |
| 546 | Patricia Mitchell   | 2:19-cv-02048 |
| 547 | Charles Newsom  | 2:19-cv-02050 |
| 548 | Orestes Diaz  | 2:19-cv-02059 |
| 549 | Helmut Otto   | 2:19-cv-02061 |
| 550 | Charlotte Edgar   | 2:19-cv-02074 |
| 551 | Carey Bowie, Individually and as the Representative of the Estate of Henry Bowie, Deceased          | 2:19-cv-02086 |
| 552 | William Elias   | 2:19-cv-02089 |
| 553 | Warren Ketchmore  | 2:19-cv-02102 |

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| 554 | Juan Cantu, Individually and as the Representative of the Estate of Margarita Cantu, Deceased      | 2:19-cv-02104 |
| 555 | Juanita Landers  | 2:19-cv-02127 |
| 556 | Johnny Fritts  | 2:19-cv-02128 |
| 557 | Karen Gaines   | 2:19-cv-02136 |
| 558 | Brenda McCurdy, Individually and as the Representative of the Estate of Rickey McCurdy, Deceased   | 2:19-cv-02143 |
| 559 | Gloria Hernandez   | 2:19-cv-02147 |
| 560 | Cynthia McDonald, As the representative of the Estate of Helen McDonald, deceased                  | 2:19-cv-02157 |
| 561 | Bridgette Long   | 2:19-cv-02159 |
| 562 | Nettie Overton, individually and as the Representative of the Estate of Charlie Overton, Deceased  | 2:19-cv-02174 |
| 563 | Glenda Long  | 2:19-cv-02175 |
| 564 | Melissa Olson  | 2:19-cv-02204 |
| 565 | Sandra Pannell   | 2:19-cv-02246 |
| 566 | Priscille Parent   | 2:19-cv-02261 |
| 567 | Lucretia Peavy   | 2:19-cv-02275 |
| 568 | Mabel Perry  | 2:19-cv-02318 |
| 569 | Glenna Pool  | 2:19-cv-02335 |
| 570 | Debra Primrose   | 2:19-cv-02356 |
| 571 | Margaret Pryor, As the Representative of the Estate of Keith Pryor, deceased                       | 2:19-cv-02367 |
| 572 | Joyce Sheffield  | 2:19-cv-02377 |
| 573 | Terry Sheffield  | 2:19-cv-02386 |
| 574 | Esther Rangel, Individually and as the Representative of the Estate of Armando Rangel, Deceased    | 2:19-cv-02404 |
| 575 | Henry Shuster  | 2:19-cv-02445 |
| 576 | John Silva   | 2:19-cv-02454 |
| 577 | Lionel Smith   | 2:19-cv-02464 |
| 578 | Linda Stockwell  | 2:19-cv-02475 |
| 579 | Diane Watkins  | 2:19-cv-02484 |
| 580 | James Williams   | 2:19-cv-02487 |
| 581 | Charles Wiley  | 2:19-cv-02493 |
| 582 | Darwin Valentine   | 2:19-cv-02547 |
| 583 | Linda Wood   | 2:19-cv-02562 |
| 584 | Susan Lynn Wright, Individually and as the Representatie of the Estate of Tabitha Wright, Deceased | 2:19-cv-02577 |
| 585 | Denise Brown   | 2:19-cv-02581 |
| 586 | Donna Wooten   | 2:19-cv-02586 |
| 587 | Andra Henderson  | 2:19-cv-02743 |
| 588 | Darryl Herod   | 2:19-cv-02748 |
| 589 | Michael Prilla   | 2:19-cv-02955 |
| 590 | John Choyce  | 2:19-cv-02988 |
| 591 | Cheryl Adams, as Proposed Representative of the Estate of Belle Collins, Deceased                  | 2:19-cv-02996 |
| 592 | Elia Carrillo  | 2:19-cv-03068 |

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|-----|--|---------------|
| 593 | Jeffrey Carter, Sr.  | 2:19-cv-03069 |
| 594 | Carla Comer  | 2:19-cv-03073 |
| 595 | Leota Conrad   | 2:19-cv-03075 |
| 596 | John Covell  | 2:19-cv-03078 |
| 597 | Cynthia Etheridge  | 2:19-cv-03118 |
| 598 | Nancy Fennell  | 2:19-cv-03132 |
| 599 | Nellie Ferguson  | 2:19-cv-03137 |
| 600 | Treva Graves   | 2:19-cv-03142 |
| 601 | Terry Haynes   | 2:19-cv-03163 |
| 602 | Bertha Gable   | 2:19-cv-03165 |
| 603 | Georgia Jackson-Wade   | 2:19-cv-03193 |
| 604 | Rhonda Gomez   | 2:19-cv-03217 |
| 605 | Kevin Goss   | 2:19-cv-03252 |
| 606 | Paula Jones  | 2:19-cv-03256 |
| 607 | Merle Kirkland   | 2:19-cv-03272 |
| 608 | Mark Lacombe   | 2:19-cv-03277 |
| 609 | Dennis Lacy  | 2:19-cv-03284 |
| 610 | Lisa Peters  | 2:19-cv-03312 |
| 611 | Shelia Holmes  | 2:19-cv-03327 |
| 612 | Edward Miller  | 2:19-cv-03340 |
| 613 | Brandon Huggins  | 2:19-cv-03366 |
| 614 | Sylvia Perez   | 2:19-cv-03368 |
| 615 | Linda Phillips   | 2:19-cv-03376 |
| 616 | Michelle Inman   | 2:19-cv-03391 |
| 617 | Charlene Jackson   | 2:19-cv-03415 |
| 618 | Brenda Ridyolph  | 2:19-cv-03419 |
| 619 | Paula Jackson  | 2:19-cv-03433 |
| 620 | Sandi Robinson   | 2:19-cv-03435 |
| 621 | Wanda Rogers   | 2:19-cv-03445 |
| 622 | Barbara Steele   | 2:19-cv-03458 |
| 623 | Bettye Stockton  | 2:19-cv-03467 |
| 624 | Erick Joe  | 2:19-cv-03476 |
| 625 | Nancy Sullivan   | 2:19-cv-03477 |
| 626 | Shirley Swope  | 2:19-cv-03480 |
| 627 | Cynthia Tucker   | 2:19-cv-03489 |
| 628 | Shirlie Johnson  | 2:19-cv-03494 |
| 629 | Dante Wilder   | 2:19-cv-03508 |
| 630 | Moses Willmore   | 2:19-cv-03520 |
| 631 | Lidia Yanez  | 2:19-cv-03524 |
| 632 | Ronald E. Ker  | 2:19-cv-03528 |
| 633 | Karen Collins, As proposed representative of the Estate of Charles Collins, deceased | 2:19-cv-03537 |
| 634 | Carolyn Coule and Jerome Coule   | 2:19-cv-03544 |
| 635 | Joel Kight   | 2:19-cv-03545 |
| 636 | Rosetta Cunningham   | 2:19-cv-03553 |
| 637 | Helen Davis  | 2:19-cv-03561 |
| 638 | Paul E. Dilocker   | 2:19-cv-03589 |

## Exhibit A

|     |   |               |
|-----|---|---------------|
| 639 | Ruth Edwards  | 2:19-cv-03595 |
| 640 | Rickie Swonger, as Proposed Representative of the Estate of Joyce Boyer, Deceased             | 2:19-cv-03596 |
| 641 | Carl Brewer, Jr.  | 2:19-cv-03605 |
| 642 | Lowanda Ford, as Proposed Representative of the Estate of William Ford, Deceased              | 2:19-cv-03612 |
| 643 | Phillip Cottle  | 2:19-cv-03618 |
| 644 | Linda Fresquez  | 2:19-cv-03624 |
| 645 | Timothy Buzard  | 2:19-cv-03626 |
| 646 | Diana Greathouse  | 2:19-cv-03633 |
| 647 | Lena Turknett, as Proposed Representative of the Estate of Cecilia Gaines, Deceased           | 2:19-cv-03636 |
| 648 | Suzanne Coleman-Cunningham  | 2:19-cv-03638 |
| 649 | Maria Garcia  | 2:19-cv-03644 |
| 650 | Betty Hunter, Individually and as the Representative of the Estate of Thomas Hunter, Deceased | 2:19-cv-03645 |
| 651 | Noreen Davis-Xanthis  | 2:19-cv-03646 |
| 652 | Harrison Gift, III  | 2:19-cv-03651 |
| 653 | Juanita Mekwuye   | 2:19-cv-03652 |
| 654 | Lucille Dunson  | 2:19-cv-03661 |
| 655 | Bernadette Green  | 2:19-cv-03662 |
| 656 | Barbara Zajack  | 2:19-cv-03663 |
| 657 | Ruthie Griffin  | 2:19-cv-03670 |
| 658 | Melba Fabel   | 2:19-cv-03671 |
| 659 | Jennifer Collins  | 2:19-cv-03679 |
| 660 | Cecile Fichtner   | 2:19-cv-03681 |
| 661 | Melissa Harris  | 2:19-cv-03684 |
| 662 | Tracy Henderson   | 2:19-cv-03685 |
| 663 | Linwood Flemister   | 2:19-cv-03686 |
| 664 | Kathlene Henson and Ernest Henson   | 2:19-cv-03687 |
| 665 | Elizabeth Flournoy  | 2:19-cv-03697 |
| 666 | Cathleen James  | 2:19-cv-03707 |
| 667 | James Franklin, Sr.   | 2:19-cv-03711 |
| 668 | Cyndi Mazza, as Proposed Representative of the Estate of Josephine Kempf, Deceased            | 2:19-cv-03716 |
| 669 | Cynthia Lawhorn   | 2:19-cv-03739 |
| 670 | Adeline Henderson   | 2:19-cv-03769 |
| 671 | Linda Martinez  | 2:19-cv-03777 |
| 672 | Lynell Johnson  | 2:19-cv-03784 |
| 673 | Michael Jones   | 2:19-cv-03806 |
| 674 | Cara Kreider  | 2:19-cv-03817 |
| 675 | Stephen McNeill   | 2:19-cv-03823 |
| 676 | Richard Lombardo  | 2:19-cv-03826 |
| 677 | Linda Metcalf   | 2:19-cv-03836 |
| 678 | Matilde Lopez   | 2:19-cv-03839 |
| 679 | Kathleen Mirarchi   | 2:19-cv-03841 |
| 680 | Wilma Miller  | 2:19-cv-03849 |



|     |  |               |
|-----|--|---------------|
| 681 | Tammy Phipps   | 2:19-cv-03863 |
| 682 | Melissa Konarski, Individually and as the Representative of the Estate of Pamela Zaccardi, Deceased    | 2:19-cv-03869 |
| 683 | Patty Anderson   | 2:19-cv-03889 |
| 684 | Kevin Takacs   | 2:19-cv-03921 |
| 685 | Patricia E. Thomas   | 2:19-cv-03980 |
| 686 | Brandon Ward   | 2:19-cv-03987 |
| 687 | Darren Williams  | 2:19-cv-04012 |
| 688 | Belinda Laird  | 2:19-cv-04031 |
| 689 | Robert Williams  | 2:19-cv-04036 |
| 690 | Gaye Young   | 2:19-cv-04050 |
| 691 | Julie Long   | 2:19-cv-04094 |
| 692 | Fidencio Lopez   | 2:19-cv-04111 |
| 693 | Anita Loudy  | 2:19-cv-04113 |
| 694 | Harold Martin  | 2:19-cv-04125 |
| 695 | Fernando Martinez, Jr.   | 2:19-cv-04130 |
| 696 | Sandra Detherage   | 2:19-cv-04133 |
| 697 | Carol Rosenblum  | 2:19-cv-04146 |
| 698 | Linda Barnett  | 2:19-cv-04152 |
| 699 | Bernice Elkins, As the Representative of the Estate of Chilles Elkins, Deceased                        | 2:19-cv-04161 |
| 700 | Susan Payne  | 2:19-cv-04162 |
| 701 | Keith Ellery   | 2:19-cv-04166 |
| 702 | Kerry Bland  | 2:19-cv-04178 |
| 703 | Denise Garrette  | 2:19-cv-04188 |
| 704 | Josette Schaffer   | 2:19-cv-04192 |
| 705 | Barbara Grant  | 2:19-cv-04197 |
| 706 | Lynn Seabrook  | 2:19-cv-04198 |
| 707 | Mary C. Smith  | 2:19-cv-04202 |
| 708 | John Danso, Individually and as the Representative of the Estate of Vickie Danso, Deceased             | 2:19-cv-04204 |
| 709 | Rachel Smith   | 2:19-cv-04207 |
| 710 | Lawrence Lucerne   | 2:19-cv-04209 |
| 711 | Rickey E. Vice   | 2:19-cv-04211 |
| 712 | Sandra Mason   | 2:19-cv-04218 |
| 713 | Cheryl Woody   | 2:19-cv-04223 |
| 714 | Beverly McCaleb  | 2:19-cv-04224 |
| 715 | Veda McDonald-Rhodes, Individually and as the Representative of the Estate of Andre McDonald, Deceased | 2:19-cv-04228 |
| 716 | Joanne Smith   | 2:19-cv-04234 |
| 717 | Lee Spaulding  | 2:19-cv-04238 |
| 718 | Diane Wood   | 2:19-cv-04242 |
| 719 | Marvin Edwards   | 2:19-cv-04248 |
| 720 | John Mangum  | 2:19-cv-04263 |
| 721 | Robert McKim   | 2:19-cv-04266 |
| 722 | Paul Shrode  | 2:19-cv-04267 |



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| 723 | Mary Nicholson, as Proposed Representative of the Estate of Winnie L. Nicholson, Deceased | 2:19-cv-04276 |
| 724 | Robert C. Lopez   | 2:19-cv-04342 |
| 725 | Mary Burchett   | 2:19-cv-04470 |
| 726 | Greg Cadjew   | 2:19-cv-04473 |
| 727 | Anabel Campbell   | 2:19-cv-04485 |
| 728 | Clarice Boutin  | 2:19-cv-04486 |
| 729 | Joanna E. Campbell  | 2:19-cv-04492 |
| 730 | Quinten W. Bowen  | 2:19-cv-04497 |
| 731 | Michael Bowen   | 2:19-cv-04503 |
| 732 | Cathleen A. Brooks  | 2:19-cv-04504 |
| 733 | Don Burleson-Castillo   | 2:19-cv-04505 |
| 734 | Terri L. Banfield   | 2:19-cv-04506 |
| 735 | Lisa Brookshire   | 2:19-cv-04510 |
| 736 | Melinda J. Burns  | 2:19-cv-04515 |
| 737 | Catherine Antwine   | 2:19-cv-04516 |
| 738 | Roy D. Burress  | 2:19-cv-04517 |
| 739 | Jackie L. Brown   | 2:19-cv-04518 |
| 740 | Joseph A. Archer  | 2:19-cv-04519 |
| 741 | Margie T. Bannister   | 2:19-cv-04528 |
| 742 | Danny Asti  | 2:19-cv-04534 |
| 743 | Leta Bannon   | 2:19-cv-04535 |
| 744 | Janice Weibley, on behalf of Elizabeth L. Boyd  | 2:19-cv-04537 |
| 745 | Cassandra Bell  | 2:19-cv-04548 |
| 746 | Debra Bramblett   | 2:19-cv-04561 |
| 747 | Douglas Ball  | 2:19-cv-04572 |
| 748 | Laquiche L. Benjamin  | 2:19-cv-04573 |
| 749 | Brent Bregan  | 2:19-cv-04574 |
| 750 | Sharon L. Bennett   | 2:19-cv-04580 |
| 751 | Charita R. Brown  | 2:19-cv-04586 |
| 752 | Johnny Brown  | 2:19-cv-04592 |
| 753 | Todd Brown  | 2:19-cv-04595 |
| 754 | Yvonne Abrams   | 2:19-cv-04617 |
| 755 | Lisa D. Binder  | 2:19-cv-04628 |
| 756 | Ricky W. Barley   | 2:19-cv-04629 |
| 757 | Candy J. Bryant   | 2:19-cv-04630 |
| 758 | Tammie Y. Cheatham  | 2:19-cv-04634 |
| 759 | Charles A. Biondillo  | 2:19-cv-04643 |
| 760 | Dennis Bunch  | 2:19-cv-04650 |
| 761 | Sherman Bunnell   | 2:19-cv-04653 |
| 762 | Ruth Cassidy  | 2:19-cv-04664 |
| 763 | Lisa Jo Albright  | 2:19-cv-04674 |
| 764 | Brian D. Alexander  | 2:19-cv-04680 |
| 765 | Josephine Basey   | 2:19-cv-04681 |
| 766 | Damisha L. Bishop   | 2:19-cv-04684 |
| 767 | Joe Alfieri   | 2:19-cv-04690 |
| 768 | Christine S. Basile   | 2:19-cv-04700 |

## Exhibit A

|     |  |               |
|-----|--|---------------|
| 769 | Shirley Bass   | 2:19-cv-04703 |
| 770 | Sylvia J. Cotton   | 2:19-cv-04709 |
| 771 | Gerald E. Coyle  | 2:19-cv-04719 |
| 772 | Alice Baxter   | 2:19-cv-04722 |
| 773 | Joe Bean   | 2:19-cv-04730 |
| 774 | Jackie Crawford  | 2:19-cv-04734 |
| 775 | Ruth V. Cleveland  | 2:19-cv-04735 |
| 776 | Anna Gonzalez, as Proposed Representative of the Estate of Beatrice Ceja, Deceased | 2:19-cv-04750 |
| 777 | Derrick A. Cloud   | 2:19-cv-04756 |
| 778 | Sharon Brewer  | 2:19-cv-04761 |
| 779 | Etta M. Brewer   | 2:19-cv-04762 |
| 780 | Tiena Britt  | 2:19-cv-04773 |
| 781 | Joe Dehart   | 2:19-cv-04776 |
| 782 | Jose Deleon  | 2:19-cv-04781 |
| 783 | Twila M. Dillon  | 2:19-cv-04790 |
| 784 | Richard Dismuke  | 2:19-cv-04792 |
| 785 | Larry Cole   | 2:19-cv-04798 |
| 786 | Joel Chapa   | 2:19-cv-04810 |
| 787 | Leif E. Anderson   | 2:19-cv-04821 |
| 788 | Mary Eddy  | 2:19-cv-04825 |
| 789 | Dora Chatman   | 2:19-cv-04826 |
| 790 | Stephen Eaton  | 2:19-cv-04829 |
| 791 | David A. Ealy  | 2:19-cv-04837 |
| 792 | Jack Cunningham  | 2:19-cv-04844 |
| 793 | Clara C. Dacko   | 2:19-cv-04848 |
| 794 | Linda Duffy  | 2:19-cv-04862 |
| 795 | Jean C. Darby  | 2:19-cv-04878 |
| 796 | Tina Dasher  | 2:19-cv-04882 |
| 797 | Mark A. Anderson   | 2:19-cv-04883 |
| 798 | Arnada F. Davis  | 2:19-cv-04906 |
| 799 | Jamie Davis  | 2:19-cv-04907 |
| 800 | Augusta L. Colson  | 2:19-cv-04909 |
| 801 | John Elliott   | 2:19-cv-04913 |
| 802 | David Andrews  | 2:19-cv-04914 |
| 803 | Deborah K. Elmer   | 2:19-cv-04918 |
| 804 | Lori A. Enos   | 2:19-cv-04925 |
| 805 | Adela Anguiano   | 2:19-cv-04927 |
| 806 | Troy Ersch   | 2:19-cv-04932 |
| 807 | Theresa Cooper   | 2:19-cv-04939 |
| 808 | Doris Crutchfield  | 2:19-cv-04944 |
| 809 | Kevin Carr   | 2:19-cv-04950 |
| 810 | Letrell Cuff   | 2:19-cv-04951 |
| 811 | Robbin Carridine   | 2:19-cv-04952 |
| 812 | Catherine Carroll  | 2:19-cv-04960 |
| 813 | Lula M. Day  | 2:19-cv-04961 |
| 814 | James F. Dean  | 2:19-cv-04967 |

## Exhibit A

|     |                        |               |
|-----|------------------------|---------------|
| 815 | Pamela Fix             | 2:19-cv-04972 |
| 816 | John Fry               | 2:19-cv-04976 |
| 817 | Angela Clinton         | 2:19-cv-04981 |
| 818 | Pat J. Evans           | 2:19-cv-04986 |
| 819 | Cynthia Bonacci        | 2:19-cv-04994 |
| 820 | Robin Fizhugh          | 2:19-cv-05006 |
| 821 | Joyce Carvalho         | 2:19-cv-05016 |
| 822 | Calvin Carver          | 2:19-cv-05022 |
| 823 | Sherley L. Booker      | 2:19-cv-05027 |
| 824 | Lee Booth              | 2:19-cv-05052 |
| 825 | Albert V. Borboa       | 2:19-cv-05053 |
| 826 | Evelyn W. Frey         | 2:19-cv-05069 |
| 827 | Mary Duncan            | 2:19-cv-05072 |
| 828 | Mary Jane Franklin     | 2:19-cv-05073 |
| 829 | Gerardo Gallaga        | 2:19-cv-05089 |
| 830 | Libia Felix            | 2:19-cv-05094 |
| 831 | Charlotte Edwards      | 2:19-cv-05097 |
| 832 | Amber N. Felthaus      | 2:19-cv-05098 |
| 833 | Dorothy Edwards        | 2:19-cv-05099 |
| 834 | Jacqueline Ferera      | 2:19-cv-05102 |
| 835 | Beverly Ficklin        | 2:19-cv-05111 |
| 836 | Keith Franklin         | 2:19-cv-05112 |
| 837 | Walter Gaddis          | 2:19-cv-05115 |
| 838 | Matilda Gagliardi      | 2:19-cv-05119 |
| 839 | Barbara S. Foutty      | 2:19-cv-05132 |
| 840 | Debbie A. Garcia       | 2:19-cv-05135 |
| 841 | Sue A. Fink            | 2:19-cv-05138 |
| 842 | Susan K. Kellar        | 2:19-cv-05166 |
| 843 | Robert L. Johnson, Jr. | 2:19-cv-05168 |
| 844 | Susan K. Kelley        | 2:19-cv-05174 |
| 845 | Timothy Henry          | 2:19-cv-05177 |
| 846 | Angela K. Henry        | 2:19-cv-05185 |
| 847 | David M. Huddleston    | 2:19-cv-05186 |
| 848 | Glenda Jackson         | 2:19-cv-05193 |
| 849 | Bobby G Jones          | 2:19-cv-05196 |
| 850 | Darlene Huettnerberger | 2:19-cv-05197 |
| 851 | Gary D. Johnson        | 2:19-cv-05199 |
| 852 | Vivian Knudsen         | 2:19-cv-05209 |
| 853 | Annie M Jones          | 2:19-cv-05217 |
| 854 | Gordon Hills           | 2:19-cv-05220 |
| 855 | Barbara A. Jones       | 2:19-cv-05230 |
| 856 | Vickie L. Jones        | 2:19-cv-05242 |
| 857 | Ronnie W. Johnson      | 2:19-cv-05247 |
| 858 | Vickie Kemp            | 2:19-cv-05249 |
| 859 | Kathleen F. Kimble     | 2:19-cv-05263 |
| 860 | Michael Hurley         | 2:19-cv-05267 |
| 861 | Wesley Hurt            | 2:19-cv-05271 |

|     |  |               |
|-----|--|---------------|
| 862 | Billy R. Johns   | 2:19-cv-05273 |
| 863 | Donna Hines  | 2:19-cv-05275 |
| 864 | Virginia Johnson Gruver  | 2:19-cv-05281 |
| 865 | Margaret Jordan  | 2:19-cv-05295 |
| 866 | Williard I. Justice  | 2:19-cv-05304 |
| 867 | Jane Krause  | 2:19-cv-05312 |
| 868 | Carol M. Kristian  | 2:19-cv-05315 |
| 869 | Tammy Jobe   | 2:19-cv-05319 |
| 870 | Connie Ivory   | 2:19-cv-05324 |
| 871 | Karen C. King  | 2:19-cv-05327 |
| 872 | Jerry R. Kingery   | 2:19-cv-05328 |
| 873 | Constance Gary   | 2:19-cv-05335 |
| 874 | Henry H. Hessen  | 2:19-cv-05341 |
| 875 | Patrick W. Lacke   | 2:19-cv-05349 |
| 876 | Barton S. Hickey   | 2:19-cv-05353 |
| 877 | Cinda Geerlings  | 2:19-cv-05359 |
| 878 | Pamela Kazak   | 2:19-cv-05369 |
| 879 | David Gilbert  | 2:19-cv-05370 |
| 880 | Romona Kea   | 2:19-cv-05375 |
| 881 | Phyllis j. Kinsey  | 2:19-cv-05376 |
| 882 | Edward W. Gildner  | 2:19-cv-05379 |
| 883 | Lisa Keith   | 2:19-cv-05385 |
| 884 | Deborah Gilstrap   | 2:19-cv-05387 |
| 885 | Marion Francis Keith   | 2:19-cv-05391 |
| 886 | Sue Langham  | 2:19-cv-05401 |
| 887 | William D. Hinshaw   | 2:19-cv-05415 |
| 888 | Mark D. Hochul   | 2:19-cv-05428 |
| 889 | Kathleen Lalor   | 2:19-cv-05507 |
| 890 | Nancy K. Garza   | 2:19-cv-05528 |
| 891 | Richard Graham   | 2:19-cv-05544 |
| 892 | Louise Jones   | 2:19-cv-05548 |
| 893 | June S. Grumbein   | 2:19-cv-05558 |
| 894 | Sarah Holland  | 2:19-cv-05563 |
| 895 | Ronald W. Grissom  | 2:19-cv-05600 |
| 896 | Darren Gines   | 2:19-cv-05608 |
| 897 | Milton E. Hansen, Jr.  | 2:19-cv-05610 |
| 898 | Loyce A. Hampson   | 2:19-cv-05623 |
| 899 | Teresa Haney   | 2:19-cv-05636 |
| 900 | Linda Guzman, as Proposed Representative of the Estate of Barbara Guzman, Deceased | 2:19-cv-05649 |
| 901 | Connie Gamez   | 2:19-cv-05652 |
| 902 | Jesse Hales  | 2:19-cv-05697 |
| 903 | Paul Glasper   | 2:19-cv-05699 |
| 904 | Shelley M. Harder  | 2:19-cv-05703 |
| 905 | Anne A. Headrick   | 2:19-cv-05728 |
| 906 | Sandra S. Hart   | 2:19-cv-05731 |
| 907 | John D. Harrison   | 2:19-cv-05734 |

|     |  |               |
|-----|--|---------------|
| 908 | Melvin W. Hendryx  | 2:19-cv-05745 |
| 909 | Verna Heideman   | 2:19-cv-05750 |
| 910 | Derric R. Henderson  | 2:19-cv-05773 |
| 911 | Jason A. Head  | 2:19-cv-05847 |
| 912 | Vanessa Harper   | 2:19-cv-05850 |
| 913 | Jeffrey A Heaps  | 2:19-cv-05853 |
| 914 | Barbara A. Harper  | 2:19-cv-05864 |
| 915 | Rhonda Leopold   | 2:19-cv-06011 |
| 916 | Carol A. Lentz   | 2:19-cv-06012 |
| 917 | Terica Lemon   | 2:19-cv-06014 |
| 918 | Alberta Lee  | 2:19-cv-06017 |
| 919 | Jerry Lawley, Jr.  | 2:19-cv-06026 |
| 920 | Delois Miller  | 2:19-cv-06069 |
| 921 | Gail H. Mills  | 2:19-cv-06072 |
| 922 | Joseph Mirabile  | 2:19-cv-06078 |
| 923 | Barbara Mire   | 2:19-cv-06079 |
| 924 | Berchia M. Mitchell  | 2:19-cv-06106 |
| 925 | Jason R. Mitchell  | 2:19-cv-06110 |
| 926 | Alice Moore  | 2:19-cv-06123 |
| 927 | Linda L. Hopkins   | 2:19-cv-06152 |
| 928 | Kimberly A. Horn   | 2:19-cv-06160 |
| 929 | Veronica C. Williams   | 2:19-cv-06193 |
| 930 | Zane Libert, as the Proposed Administrator of the Estate of Julianna Libert, deceased        | 2:19-cv-06198 |
| 931 | Jerry Winthrop   | 2:19-cv-06213 |
| 932 | Joe N. Little  | 2:19-cv-06225 |
| 933 | Betty J. Withrow   | 2:19-cv-06226 |
| 934 | Teena Williams   | 2:19-cv-06236 |
| 935 | Kevin Wilson   | 2:19-cv-06305 |
| 936 | Desiree Lovins   | 2:19-cv-06323 |
| 937 | Robert R. Houser   | 2:19-cv-06349 |
| 938 | Judith Lambert   | 2:19-cv-06352 |
| 939 | Anthony Lanas  | 2:19-cv-06354 |
| 940 | Juliana Wimberly   | 2:19-cv-06370 |
| 941 | Betty Lowther  | 2:19-cv-06374 |
| 942 | Joseph W. Lucas  | 2:19-cv-06376 |
| 943 | Candace M. Malin   | 2:19-cv-06392 |
| 944 | Helen M. Martinez  | 2:19-cv-06426 |
| 945 | Raul Martinez  | 2:19-cv-06429 |
| 946 | Rebecca Meader   | 2:19-cv-06437 |
| 947 | Shekina D. Mason   | 2:19-cv-06439 |
| 948 | Jacobus Mekes  | 2:19-cv-06443 |
| 949 | Sharon W. Mellott, as the Proposed Administrator of the Estate of Jerry W. Mellott, deceased | 2:19-cv-06445 |
| 950 | Deborah Mercer   | 2:19-cv-06452 |
| 951 | Kym Matthews   | 2:19-cv-06455 |
| 952 | Lynda Mercer   | 2:19-cv-06456 |

## Exhibit A

|     |   |               |
|-----|---|---------------|
| 953 | Lena Woolfolk   | 2:19-cv-06457 |
| 954 | Jessie M. Merriweather  | 2:19-cv-06460 |
| 955 | Oliver T. Mihm  | 2:19-cv-06482 |
| 956 | Henry G. Miles  | 2:19-cv-06486 |
| 957 | Lora Wilson   | 2:19-cv-06490 |
| 958 | Alexander J. Mayfield   | 2:19-cv-06491 |
| 959 | Teresa Mayo   | 2:19-cv-06495 |
| 960 | Arlene Miller   | 2:19-cv-06496 |
| 961 | Thelma McClellen  | 2:19-cv-06520 |
| 962 | Brenda McConnachie  | 2:19-cv-06522 |
| 963 | Dee A. Mankins  | 2:19-cv-06533 |
| 964 | Iris L. Manning   | 2:19-cv-06534 |
| 965 | Grachell L. Manuel  | 2:19-cv-06537 |
| 966 | Janet S. Markello   | 2:19-cv-06540 |
| 967 | Douglas Worden  | 2:19-cv-06542 |
| 968 | Joann C. Worden   | 2:19-cv-06550 |
| 969 | Marilyn Young   | 2:19-cv-06599 |
| 970 | Missouri McCann   | 2:19-cv-06614 |
| 971 | Hollis Q. Moore   | 2:19-cv-06637 |
| 972 | Antonio Morales   | 2:19-cv-06641 |
| 973 | Anna M. Morales   | 2:19-cv-06642 |
| 974 | August Morella  | 2:19-cv-06644 |
| 975 | Jessie Noiel  | 2:19-cv-06649 |
| 976 | Jeffrey A. Oakley   | 2:19-cv-06656 |
| 977 | Norma J. Ochoa  | 2:19-cv-06657 |
| 978 | Marilyn D. Ojeda  | 2:19-cv-06660 |
| 979 | Mindy Oosting   | 2:19-cv-06673 |
| 980 | William H. Morgan   | 2:19-cv-06677 |
| 981 | Marilyn A. Palma  | 2:19-cv-06690 |
| 982 | Darrell M. Papaleo  | 2:19-cv-06693 |
| 983 | Betty A. Parks  | 2:19-cv-06696 |
| 984 | Kay Parks   | 2:19-cv-06697 |
| 985 | Maria D. Parovel  | 2:19-cv-06699 |
| 986 | Deborah L. Patterson  | 2:19-cv-06706 |
| 987 | Lisa York-Williams  | 2:19-cv-06712 |
| 988 | Shirley Murray  | 2:19-cv-06713 |
| 989 | Sandy Myers   | 2:19-cv-06721 |
| 990 | Renato Natal  | 2:19-cv-06730 |
| 991 | Andrenette Marshall   | 2:19-cv-06748 |
| 992 | Daniel Peters   | 2:19-cv-06823 |
| 993 | David Peterson, Sr.   | 2:19-cv-06827 |
| 994 | Leonard Nesbitt   | 2:19-cv-06828 |
| 995 | Cherri D. Young   | 2:19-cv-06837 |
| 996 | Rachel Martinez, as Proposed Representative of the Estate of Richard Martinez, Deceased | 2:19-cv-06845 |
| 997 | Annette K. Morris   | 2:19-cv-06862 |
| 998 | Neal H. Pleasant  | 2:19-cv-06883 |

|      |  |               |
|------|--|---------------|
| 999  | Adrienne Newton  | 2:19-cv-06885 |
| 1000 | John Nicastro  | 2:19-cv-06889 |
| 1001 | Eddie Nicholson  | 2:19-cv-06897 |
| 1002 | Joyce Niemi  | 2:19-cv-06899 |
| 1003 | Luis Nieves  | 2:19-cv-06900 |
| 1004 | Barbara Noble  | 2:19-cv-06911 |
| 1005 | Norma Wright   | 2:19-cv-06918 |
| 1006 | Norman Reynolds  | 2:19-cv-06938 |
| 1007 | Luis Rodriguez-Charriez  | 2:19-cv-06947 |
| 1008 | Walter R. Roger  | 2:19-cv-06950 |
| 1009 | James Potter   | 2:19-cv-06962 |
| 1010 | Misty C. Powell  | 2:19-cv-06966 |
| 1011 | Leon Rhodes and Veronica Rhodes  | 2:19-cv-06967 |
| 1012 | Carolyn Powers   | 2:19-cv-06974 |
| 1013 | Francis Presto   | 2:19-cv-06981 |
| 1014 | Deborah A. Richard   | 2:19-cv-06989 |
| 1015 | Daniel Paul  | 2:19-cv-07003 |
| 1016 | Louise C. Peaco  | 2:19-cv-07010 |
| 1017 | Pamela M. Pruitt   | 2:19-cv-07022 |
| 1018 | Kathy Ridgeway   | 2:19-cv-07034 |
| 1019 | Esteban Rojo   | 2:19-cv-07039 |
| 1020 | Anthony Riley  | 2:19-cv-07045 |
| 1021 | Ricky L. Wilson  | 2:19-cv-07047 |
| 1022 | Annette H. Ringley   | 2:19-cv-07049 |
| 1023 | Linda Roach  | 2:19-cv-07057 |
| 1024 | Leona Quinn  | 2:19-cv-07059 |
| 1025 | Frank Quinones   | 2:19-cv-07065 |
| 1026 | Sharon Raabe   | 2:19-cv-07069 |
| 1027 | Judith Robertson   | 2:19-cv-07082 |
| 1028 | Martina Ramirez  | 2:19-cv-07083 |
| 1029 | James Randolph   | 2:19-cv-07104 |
| 1030 | Debbie M. Rankin   | 2:19-cv-07111 |
| 1031 | April Rondeau  | 2:19-cv-07119 |
| 1032 | Ruth Roozing-Grimsrud  | 2:19-cv-07126 |
| 1033 | Manuel G. Rodriguez  | 2:19-cv-07137 |
| 1034 | David B. Zarosky   | 2:19-cv-07139 |
| 1035 | Brandi Peebles   | 2:19-cv-07166 |
| 1036 | David Pennypacker, as Proposed Representative of the Estate of Cynthia Pennypacker, Deceased | 2:19-cv-07175 |
| 1037 | Eric D. Perkins  | 2:19-cv-07188 |
| 1038 | Michael Scadden  | 2:19-CV-07191 |
| 1039 | Claudia Ortega, as the Proposed Administrator of the Estate of Josefina Silva, deceased      | 2:19-cv-07201 |
| 1040 | William Schiffert  | 2:19-cv-07203 |
| 1041 | Sydney B. Silver   | 2:19-cv-07206 |
| 1042 | Darlet A. Simile   | 2:19-cv-07208 |
| 1043 | Bruce E. Simmons   | 2:19-cv-07210 |

## Exhibit A

|      |   |               |
|------|---|---------------|
| 1044 | Mary M. Simmons   | 2:19-cv-07214 |
| 1045 | Ronald A. Simmons   | 2:19-cv-07216 |
| 1046 | Sheryl D. Simpson   | 2:19-cv-07218 |
| 1047 | Theresa Sipler  | 2:19-cv-07222 |
| 1048 | Ben Schwartz  | 2:19-cv-07238 |
| 1049 | Robert Smith  | 2:19-cv-07247 |
| 1050 | Rita Scott, As Proposed Representative of the Estate of Melvern Scott, deceased | 2:19-cv-07250 |
| 1051 | Nancy Rouseau   | 2:19-cv-07267 |
| 1052 | Lisa C. Rowlette  | 2:19-cv-07272 |
| 1053 | Amanda Scrimpsheer  | 2:19-cv-07300 |
| 1054 | Roger Zickefoose  | 2:19-cv-07306 |
| 1055 | Scott E. Shaner   | 2:19-cv-07348 |
| 1056 | Raymond L. Shaner   | 2:19-cv-07349 |
| 1057 | Anita L. Shank  | 2:19-cv-07352 |
| 1058 | Carla A. Smith  | 2:19-cv-07358 |
| 1059 | Debra Sheffey   | 2:19-cv-07372 |
| 1060 | Gloria Sheppard   | 2:19-cv-07382 |
| 1061 | Patricia A. Smith   | 2:19-cv-07383 |
| 1062 | Andrew Sherrod  | 2:19-cv-07388 |
| 1063 | Sharon Smith  | 2:19-cv-07389 |
| 1064 | Valorie Sherrod   | 2:19-cv-07390 |
| 1065 | Annette H. Shook  | 2:19-cv-07400 |
| 1066 | Ysleta Smith  | 2:19-cv-07403 |
| 1067 | Arlene Sidenstick   | 2:19-cv-07425 |
| 1068 | David A. Soliz  | 2:19-cv-07493 |
| 1069 | Gilbert J. Sosa   | 2:19-cv-07500 |
| 1070 | Christina Spaulding   | 2:19-cv-07509 |
| 1071 | Heidi McGee   | 2:19-cv-07516 |
| 1072 | Troy McKelvy  | 2:19-cv-07521 |
| 1073 | Shanda M. Meacacke  | 2:19-cv-07543 |
| 1074 | Alan R. Sussman   | 2:19-cv-07552 |
| 1075 | Wendy Swartz  | 2:19-cv-07555 |
| 1076 | Brenda Swift  | 2:19-cv-07558 |
| 1077 | Dawn Takacs   | 2:19-cv-07560 |
| 1078 | Kermit E. Tate  | 2:19-cv-07563 |
| 1079 | Tony E. Taylor  | 2:19-cv-07569 |
| 1080 | Ronald Perrin   | 2:19-cv-07572 |
| 1081 | Barbara A. Rauenzahn  | 2:19-cv-07574 |
| 1082 | Janet Reardon   | 2:19-cv-07580 |
| 1083 | Elspeth A. Teed   | 2:19-cv-07584 |
| 1084 | Michael B. Tenore   | 2:19-cv-07587 |
| 1085 | Ruby M. Terrasas  | 2:19-cv-07589 |
| 1086 | Pamela D. Terry   | 2:19-cv-07590 |
| 1087 | Miriam Thomas   | 2:19-cv-07597 |
| 1088 | Willie Thomas   | 2:19-cv-07600 |
| 1089 | Zoanthony M. Thomas   | 2:19-cv-07601 |



## Exhibit A

|      |  |               |
|------|--|---------------|
| 1090 | Kim Sposato  | 2:19-cv-07621 |
| 1091 | Dean St. John  | 2:19-cv-07624 |
| 1092 | Diane Robinson, As Proposed Representative of the Estate of James Stacker, Deceased    | 2:19-cv-07627 |
| 1093 | Daniel M. Russell  | 2:19-cv-07633 |
| 1094 | Carrie L. Stark  | 2:19-cv-07634 |
| 1095 | Courtney Stark   | 2:19-cv-07636 |
| 1096 | Rose Starr   | 2:19-cv-07639 |
| 1097 | Sally D. Reed  | 2:19-cv-07642 |
| 1098 | Gail E. Sachs  | 2:19-cv-07653 |
| 1099 | Sandra Steen   | 2:19-cv-07658 |
| 1100 | Sheila K. Sain   | 2:19-cv-07661 |
| 1101 | Yvette Sanders   | 2:19-cv-07673 |
| 1102 | Vashon Stephens  | 2:19-cv-07676 |
| 1103 | Sonja F. Anthony   | 2:19-cv-07681 |
| 1104 | Madge E. Reed  | 2:19-cv-07701 |
| 1105 | Dea Reed   | 2:19-cv-07707 |
| 1106 | Linda K. Reed  | 2:19-cv-07717 |
| 1107 | Shasta Cook  | 2:19-cv-07725 |
| 1108 | Norma Fuentes  | 2:19-cv-07739 |
| 1109 | Donna J. Renard  | 2:19-cv-07763 |
| 1110 | Mark E. Lynch  | 2:19-cv-07771 |
| 1111 | Tammy Sateriale  | 2:19-cv-07793 |
| 1112 | Arnoldo Saucedo  | 2:19-cv-07799 |
| 1113 | Rodney Stewart   | 2:19-cv-07800 |
| 1114 | Ricky Stewart  | 2:19-cv-07804 |
| 1115 | Nicholas Savini  | 2:19-cv-07825 |
| 1116 | Lennie Stowes  | 2:19-cv-07851 |
| 1117 | Joan V. Streek   | 2:19-cv-07857 |
| 1118 | Fred Stuhlemmer, As Proposed Representative of the Estate of Leah Stuhlemmer, Deceased | 2:19-cv-07864 |
| 1119 | Eric T. Whitfield  | 2:19-cv-07871 |
| 1120 | Susan Reitz  | 2:19-cv-07879 |
| 1121 | Nowell E. Renth  | 2:19-cv-07884 |
| 1122 | Silvia Retana  | 2:19-cv-07886 |
| 1123 | Kevin Wiggs  | 2:19-cv-07893 |
| 1124 | Sylvia Thrower   | 2:19-cv-07898 |
| 1125 | Mona L. Timms  | 2:19-cv-07901 |
| 1126 | Robert W. Tonini   | 2:19-cv-07908 |
| 1127 | Jeffrey L. Montgomery  | 2:19-cv-07929 |
| 1128 | Linda Palafox  | 2:19-cv-07955 |
| 1129 | Mary N. Vieyra   | 2:19-cv-07990 |
| 1130 | Mary Vincent   | 2:19-cv-08003 |
| 1131 | Geraldine Virges   | 2:19-cv-08004 |
| 1132 | Carmen Vitello   | 2:19-cv-08007 |
| 1133 | Lois Torres  | 2:19-cv-08013 |
| 1134 | Randy E. Totenhagen  | 2:19-cv-08017 |

|      |  |               |
|------|--|---------------|
| 1135 | Kimberly Wilfong   | 2:19-cv-08028 |
| 1136 | Michael Waddy  | 2:19-cv-08035 |
| 1137 | Kimberly A. Willhite   | 2:19-cv-08043 |
| 1138 | Jeanette R. Wadholm-Williams   | 2:19-cv-08045 |
| 1139 | Brycelynn Wakkukait  | 2:19-cv-08095 |
| 1140 | Bonnie S. Walburn  | 2:19-cv-08097 |
| 1141 | Dee N. Trejo   | 2:19-cv-08141 |
| 1142 | Donna M. Tritto  | 2:19-cv-08150 |
| 1143 | Arthur L. Waller   | 2:19-cv-08151 |
| 1144 | Joseph Walsh   | 2:19-cv-08155 |
| 1145 | Wanda J. Turnage   | 2:19-cv-08200 |
| 1146 | Donald Turnbow   | 2:19-cv-08202 |
| 1147 | Donald W. Vanadore Jr.   | 2:19-cv-08253 |
| 1148 | Roberta L. Vankuren  | 2:19-cv-08259 |
| 1149 | Linda I. Ruffin  | 2:19-cv-08279 |
| 1150 | Jerome G. Washington   | 2:19-cv-08291 |
| 1151 | Cherry Watson as Proposed Representative of the Estate of Gary E. Watson, Deceased             | 2:19-cv-08323 |
| 1152 | Betty Webb   | 2:19-cv-08430 |
| 1153 | Peggy Wehr   | 2:19-cv-08436 |
| 1154 | Daniel E. Varner   | 2:19-cv-08449 |
| 1155 | Maria Welch  | 2:19-cv-08503 |
| 1156 | Jimmy Welch  | 2:19-cv-08505 |
| 1157 | Cody Weldon  | 2:19-cv-08506 |
| 1158 | Cornelius Westbrook  | 2:19-cv-08509 |
| 1159 | Audrey M. Werner   | 2:19-cv-08547 |
| 1160 | Kathleen West  | 2:19-cv-08562 |
| 1161 | Joseph White Sr.   | 2:19-cv-08573 |
| 1162 | Sandra E. White  | 2:19-cv-08601 |
| 1163 | Robert Acosta  | 2:19-cv-08709 |
| 1164 | Eugene Fisher  | 2:19-cv-08838 |
| 1165 | Mary Bellmore, Individually and as the Representative of the Estate of Donn Bellmore, Deceased | 2:19-cv-10047 |
| 1166 | Katie Ware   | 2:19-cv-10141 |
| 1167 | Michael Davis  | 2:19-cv-11777 |
| 1168 | Dennis Thompson  | 2:19-cv-12040 |
| 1169 | Janet Burau  | 2:19-cv-12611 |
| 1170 | Rose Campbell  | 2:19-cv-12613 |
| 1171 | Betty Jessie   | 2:19-cv-12618 |
| 1172 | William Sayles   | 2:19-cv-12628 |
| 1173 | Robert Brantley  | 2:19-cv-20086 |
| 1174 | Brenda Kellam  | 2:20-cv-07294 |
| 1175 | Kathleen Anderson  | 2:20-cv-07343 |
| 1176 | Sandra Loesche   | 2:20-cv-07344 |
| 1177 | Alex Montiel   | 2:20-cv-07345 |
| 1178 | Dolores Payne  | 2:20-cv-07348 |
| 1179 | Glenda Kelsey  | 2:20-cv-20741 |

|      |                   |               |
|------|-------------------|---------------|
| 1180 | Sheila Kindoll    | 2:20-cv-20742 |
| 1181 | Linda K Shierling | 2:20-cv-20743 |